General Assembly

Distr.: General
18 January 2017

Seventy-first session
Agenda item 63

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/479)*]

71/174. Report of the Human Rights Council

The General Assembly,

Recalling its resolutions 60/251 of 15 March 2006, by which it established the Human Rights Council, and 65/281 of 17 June 2011 on the review of the Council,

Recalling also its resolutions 62/219 of 22 December 2007, 63/160 of 18 December 2008, 64/143 of 18 December 2009, 65/195 of 21 December 2010, 66/136 of 19 December 2011, 67/151 of 20 December 2012, 68/144 of 18 December 2013, 69/155 of 18 December 2014 and 70/136 of 17 December 2015,

Having considered the recommendations contained in the report of the Human Rights Council,[1,2]

Takes note of the report of the Human Rights Council,[1] including the addenda thereto,[2] and its recommendations.

65th plenary meeting
19 December 2016

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53).

[2] Ibid., *Supplement No. 53A* and corrigendum (A/71/53/Add.1 and Corr.1); and ibid., *Supplement No. 53B* and corrigendum (A/71/53/Add.2 and Corr.1).

16-21885 (E)

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General Assembly

Distr.: General
23 January 2017

Seventy-first session
Agenda item 64 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/480)*]

71/175. Child, early and forced marriage

The General Assembly,

Reaffirming its resolution 69/156 of 18 December 2014 on child, early and forced marriage,

Recalling its resolutions 70/138 of 17 December 2015 on the girl child and 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, as well as Human Rights Council resolution 29/8 of 2 July 2015, entitled "Strengthening efforts to prevent and eliminate child, early and forced marriage",[1] and all other previous resolutions relating to child, early and forced marriage,

Guided by the Universal Declaration of Human Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the International Covenant on Civil and Political Rights,[3] the Convention on the Rights of the Child[4] and the Convention on the Elimination of All Forms of Discrimination against Women,[5] together with the relevant Optional Protocols thereto,[6] as well as other relevant human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[7] as well as the Programme of Action of the International Conference on Population and Development,[8] the Beijing Declaration and Platform for Action[9] and the outcome documents of their review conferences,

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[1] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V, sect. A.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[5] Ibid., vol. 1249, No. 20378.

[6] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex; and United Nations, *Treaty Series*, vol. 2131, No. 20378.

[7] A/CONF.157/24 (Part I), chap. III.

[8] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

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Taking note of the agreed conclusions adopted by the Commission on the Status of Women at its fifty-eighth[10] and sixtieth[11] sessions,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[12] and noting the integrated nature of the 2030 Agenda and the range of goals and targets relevant to eliminating child, early and forced marriage, including target 5.3,

Noting with appreciation the launch of the United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, in March 2016, as well as regional, national and subnational initiatives to end child, early and forced marriage, including the African Union Campaign to End Child Marriage and the Regional Action Plan to End Child Marriage in South Asia, and further encouraging coordinated approaches to action at all levels,

Taking note with appreciation of the report of the Secretary-General,[13] which summarizes progress towards ending child, early and forced marriage worldwide,

Expressing concern about the continued prevalence of child, early and forced marriage worldwide, including the fact that there are still approximately 15 million girls married every year before they reach 18 years of age and that more than 720 million women and girls alive today were married before their eighteenth birthday,

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses or impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

Noting with concern that poverty, insecurity and lack of education are among the root causes of child, early and forced marriage, that armed conflict and humanitarian emergencies are among the exacerbating factors and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

Noting with concern also that deep-rooted gender inequalities and stereotypes, harmful practices, perceptions and customs, and discriminatory norms are not only obstacles to the full enjoyment of human rights and the empowerment of all women and girls but are also among the root causes of child, early and forced marriage, and that the persistence of child, early and forced marriage places children, in particular the girl child, at greater risk of being exposed to and encountering various forms of discrimination and violence throughout their lives,

Recognizing that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives and also that the

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[10] *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[11] Ibid., *2016, Supplement No. 7* (E/2016/27), chap. I, sect. A.

[12] Resolution 70/1.

[13] A/71/253.

empowerment of and investment in women and girls, as well as their meaningful participation in all decisions that affect them, are key factors in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical, inter alia, for sustainable development, peace, security, democracy and inclusive economic growth,

Recognizing also that raising awareness of the harmful consequences of child, early and forced marriage, including among men and boys, can contribute to promoting social norms that support efforts by girls and their families to end this harmful practice,

Recognizing further men and boys as strategic partners and allies and that their meaningful engagement can contribute to transforming discriminatory social norms that perpetuate child, early and forced marriage, ending this practice and achieving gender equality and the empowerment of women and girls,

Noting with concern that child, early and forced marriage disproportionally affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage, pregnancy, childbirth and/or childcare responsibilities, and recognizing that educational opportunities are directly related to the empowerment of women and girls, their employment and economic opportunities and their active participation in economic, social and cultural development, governance and decision-making,

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence,

Recognizing also that the incidence and risk of child, early and forced marriage can increase during humanitarian emergencies, situations of forced displacement, armed conflict and natural disaster and that this requires increased attention, appropriate protection measures and coordinated action by relevant stakeholders, with the full and meaningful participation of the women and girls affected, from the early stages of humanitarian emergencies, and recognizing further the importance of addressing the increased vulnerability of women and girls to sexual and gender-based violence and exploitation in those situations,

1. *Calls upon* States, with the participation of relevant stakeholders, including women and girls, parents and other family members, religious, traditional and community leaders, civil society, organizations led by girls, women's organizations, youth and human rights groups, men and boys, the media and the private sector, to develop and implement holistic, comprehensive and coordinated responses and strategies to eliminate child, early and forced marriage, to support girls and women who are at risk or have been subjected to this practice, including through the strengthening of child protection systems, protection mechanisms such as safe shelters, access to justice and the sharing of best practices across borders;

2. *Also calls upon* States to enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and to amend relevant laws and policies to

remove any provision that enables perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims;

3. *Further calls upon* States to strengthen their efforts to ensure the timely registration of births and marriages, especially for individuals living in rural and remote areas, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

4. *Calls upon* States to enact, build awareness of, enforce and uphold laws concerning a minimum age of marriage and to progressively amend laws with lower ages of marriage and/or ages of majority;

5. *Also calls upon* States to promote the meaningful participation of and active consultation with children and adolescents, especially girls, on all issues affecting them and to raise awareness about their rights, including the negative impact of child, early and forced marriage, through safe spaces, forums and support networks that provide girls and boys with information, life skills and leadership skills training and opportunities to be empowered, to express themselves, to participate meaningfully in all decisions that affect them and to become agents of change within their communities;

6. *Further calls upon* States and encourages other stakeholders to address gender stereotypes, discriminatory social norms and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness of its harm and the cost to society at large and by providing opportunities for discussion, in this regard, among others, within communities, including with the involvement of girls and boys, women and men, religious, traditional and community leaders, and parents and other family members, on the benefits of ending child, early and forced marriage and ensuring that girls and boys receive an education;

7. *Recognizes* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding and that parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child, acknowledging the need to support their capacity to prevent and eliminate child, early and forced marriage and reaffirming that the best interests of the child will be their basic concern;

8. *Calls upon* States to promote and protect the right of women and girls to equal access to education through enhanced emphasis on free and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education or have left school early, including because of marriage and/or childbearing, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health, including through scientifically accurate, age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, with information on sexual and reproductive health, gender equality and the empowerment of women, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and informed decision-making, communication and risk reduction skills and to develop respectful relationships, in full partnership with young persons,

parents, legal guardians, caregivers, educators and health-care providers, in order to contribute to ending child, early and forced marriage;

9. *Urges* States to prevent and eliminate child, early and forced marriage by removing barriers to education, including by ensuring that married girls and boys, pregnant girls and women and young parents continue to have access to schooling, improving access to quality formal education and skills development, especially for those living in remote or insecure areas, improving the safety of girls at and on the way to and from school, providing safe and adequate sanitation, including for menstrual hygiene management, and adopting policies to prohibit, prevent and address violence against children, especially girls;

10. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring the rights of women and girls to inheritance and property, their equal access with men and boys to social protection, direct financial services, support and microcredit, to encourage girls to continue their education, to develop livelihood opportunities through access to technical and vocational education and training and life skills education, including financial literacy, and to promote women's equal access to full and productive employment and decent work, as well as equal political participation and rights to inherit, own and control land and productive measures;

11. *Urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women, girls and boys about their rights under relevant laws, training law enforcement officers, the judiciary and professionals working with women and children and ensuring oversight of the handling of cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

12. *Urges* Governments to respect and protect the right to the enjoyment of the highest attainable standard of physical and mental health through the development and enforcement of policies and legal frameworks and the strengthening of health systems, including health information systems, that make universally accessible and available quality, gender-responsive, adolescent-friendly health services, sexual and reproductive health-care services, information and commodities, HIV and AIDS prevention, treatment and care, mental health services and nutrition interventions;

13. *Also urges* Governments to promote and protect the human rights of all women and girls, including the right of women, and those girls who have been subjected to child, early and forced marriage, to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development,[8] the Beijing Platform for Action[9] and the outcome documents of their review conferences;

14. *Calls upon* States to develop, in consultation with women and, as appropriate, girls, and integrate into humanitarian responses, from the early stages of humanitarian emergencies, measures to address the increased vulnerability of women and girls to child, early and forced marriage and to protect women and girls

from sexual and gender-based violence and exploitation during humanitarian emergencies, situations of forced displacement, armed conflict and natural disaster, including by ensuring their access to such services as health-care and education;

15. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, within their respective mandates, civil society and other relevant actors and human rights mechanisms to continue to collaborate with Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support those who were married as girls and boys;

16. *Affirms* the need for States to improve the collection and use of quantitative, qualitative and comparable data on violence against women and harmful practices, disaggregated by sex, age, disability, civil status, race, ethnicity, migratory status, geographical location, socioeconomic status, education level and other key factors, as appropriate, to enhance research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage and to strengthen monitoring and impact assessment of existing policies and programmes as a means of ensuring their effectiveness and implementation;

17. *Encourages* Governments to include information on progress towards eliminating child, early and forced marriage in their national reports to relevant international treaty bodies and the universal periodic review and within the national voluntary reviews conducted through the high-level political forum on sustainable development under the auspices of the Economic and Social Council;

18. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, before the end of its seventy-second session, on progress towards ending child, early and forced marriage worldwide, including, for the consideration of Member States, action-oriented recommendations for eliminating this practice, using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

19. *Decides* to consider the issue of child, early and forced marriage at its seventy-third session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of the issue of child, early and forced marriage.

65th plenary meeting
19 December 2016

General Assembly

Distr.: General
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Seventy-first session
Agenda item 64 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/480)*]

71/176. Protecting children from bullying

The General Assembly,

Recalling its resolution 69/158 of 18 December 2014 on protecting children from bullying, all its previous resolutions on the rights of the child and the resolutions adopted by the Human Rights Council that are relevant to the protection of children from bullying,

Emphasizing that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child and that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein,

Recalling the United Nations Declaration on Human Rights Education and Training,[2] and noting the adoption of the United Nations Educational, Scientific and Cultural Organization Declaration of Principles on Tolerance,[3]

Welcoming the adoption of the 2030 Agenda for Sustainable Development in its entirety,[4] including goals and targets aimed at ending abuse, exploitation, trafficking and all forms of violence against and torture of children contained therein, and underscoring the importance of its implementation for ensuring the enjoyment of the rights of the child,

Taking note of the report of the Secretary-General,[5] including, in particular, the conclusions and recommendations contained therein,

Noting with appreciation the establishment of the Global Partnership to End Violence against Children and the "High time to end violence against children" initiative of the Special Representative of the Secretary-General on Violence against Children, and noting that they constitute platforms for multi-stakeholder engagement that can contribute to the prevention and elimination of violence against children, including forms of bullying,

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[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Resolution 66/137, annex.

[3] See A/51/201, annex, appendix I.

[4] Resolution 70/1.

[5] A/71/213.

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Recognizing that bullying, including cyberbullying, can take both direct and indirect forms, from acts of violence and aggression to social exclusion, and that, although rates differ from country to country, bullying, online or in person, can have a negative impact on the rights of the child and is among children's main concerns, affecting a high percentage of children and compromising their health, emotional well-being and academic work, and acknowledging the need to prevent and eliminate bullying among children,

Recognizing also the importance of generating appropriate statistical information on bullying,

Concerned about the occurrence of bullying in different parts of the world and the fact that children who are victimized by such practices may be at heightened risk for a wide range of emotional problems, as well as potential long-term effects on the individual's ability to realize his or her own potential,

Concerned also that bullying is associated with long-lasting consequences that continue on into adulthood,

Noting with concern that children who are marginalized or vulnerable, who face stigmatization, discrimination or exclusion, are disproportionately affected by bullying, both in person and online,

Recognizing that bullying often includes a gender dimension and is associated with gender-based violence and stereotyping that negatively affects both boys and girls,

Noting the risks associated with the misuse of new information and communications technologies and applications, including increased vulnerability to bullying, while stressing that they can create new ways to enhance education and, inter alia, learn and teach about the rights of the child and can be useful tools to promote children's protection,

Noting also the role that information and communications technologies play in reducing the risk of sexual abuse and exploitation, including by empowering children to report such abuses,

Acknowledging the obligations and commitments of States to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, and, as appropriate, the implementation of educational measures to address behavioural practices that condone such violence,

Acknowledging also that the environments surrounding children can affect their behaviour and the important roles that parents, legal guardians, family members, schools, civil society, communities, State institutions and the media have in securing children's protection from the risks associated with bullying and in preventing all forms of violence against children,

Stressing that children should grow up in a family environment and in an atmosphere of happiness, love and understanding, given the important role that family plays in this regard, and acknowledging that parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child,

Recognizing that evidence-based initiatives to strengthen children's life skills and respect for human rights, tolerance, concern for others and the responsibility to

foster safety, as well as whole-school and whole-community programmes that fully respect all human rights, constitute best practices that should be developed, strengthened and shared through international cooperation,

Acknowledging that children's participation and their contributions need to be at the centre of efforts to prevent and address bullying,

1. *Calls upon* Member States:

(*a*) To take all appropriate measures to prevent and protect children, including in school, from any form of violence, including forms of bullying, by promptly responding to such acts, and to provide appropriate support to children affected by and involved in bullying;

(*b*) To continue to promote and invest in education, including as a long-term and lifelong process by which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring such respect in all societies;

(*c*) To develop and implement, as appropriate, measures and restorative practices to repair harm, restore relationships, avoid recidivism, promote the accountability of perpetrators and change aggressive behaviour;

(*d*) To generate statistical information and data disaggregated by sex, age and other relevant variables at the national level, and to provide information on disability, with regard to the problem of bullying, as a basis on which to elaborate effective public policies;

(*e*) To adopt and strengthen, as appropriate, clear and comprehensive measures, including, where required, legislation, that seek to prevent and protect children from bullying and provide for safe and child-sensitive counselling and reporting procedures and safeguards for the rights of affected children;

(*f*) To strengthen the capacities of schools in early detection and response to prevent and respond to bullying, including cyberbullying, in particular initiatives to mobilize support to prevent and address this phenomenon, and to ensure that children are informed of any existing public policies to secure their protection;

(*g*) To raise public awareness, involving family members, legal guardians, caregivers, young people, schools, communities, community leaders and the media, as well as civil society organizations, with the participation of children, regarding the protection of children from bullying;

(*h*) To involve children in the development of initiatives to prevent and address bullying, including available support services and safe, accessible, age- and child-sensitive, confidential and independent counselling and reporting mechanisms, and to inform them of available mental and physical health-care services and procedures in place to support them, where they exist, and encourages Member States to make such support services available;

(*i*) To share national experiences and best practices for preventing and tackling bullying, including cyberbullying;

2. *Encourages* Member States to continue to share with the Secretary-General, through existing processes and mechanisms, information about any initiatives undertaken at the national or subnational level to prevent and address bullying, including cyberbullying, to promote peaceful social interaction with a view to assessing progress, and to make use of the results achieved;

3. *Also encourages* Member States to adopt appropriate measures, such as plans of action on the prevention of and response to bullying, drawing on the experience of Member States, the United Nations, regional organizations, academia and civil society actors and taking into account related recommendations of the entities of the United Nations system;

4. *Welcomes* the continued collaboration of the Special Representative of the Secretary-General on Violence against Children with human rights bodies and mechanisms, within their respective mandates, including the special procedures mandate holders of the Human Rights Council, in order to support efforts to prevent and address violence against children, including bullying;

5. *Invites* the Secretary-General, within existing resources, to facilitate further international efforts, in collaboration with Member States, to raise awareness of bullying, including through existing initiatives of United Nations specialized agencies, funds and programmes;

6. *Requests* the Secretary-General, within existing resources, to support, in cooperation with United Nations agencies and other relevant stakeholders, the organization of follow-up expert consultations at the regional level, promoted by Member States, upon their request, to raise awareness of the impact of bullying on the rights of the child and to share experiences and best practices in order to ensure the protection of children from bullying, to be pursued in line with the Convention on the Rights of the Child[1] and the recommendations contained in his report;[5]

7. *Also requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report on the implementation of the present resolution;

8. *Decides* to continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of the rights of children".

65th plenary meeting
19 December 2016

General Assembly

Distr.: General
30 January 2017

Seventy-first session
Agenda item 64 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/480)*]

71/177. Rights of the child

The General Assembly,

Reaffirming the importance of its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child,[1] which constitutes the standard in the promotion and protection of the rights of the child, reaffirming also that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention[2] and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

Reaffirming also all of its previous resolutions on the rights of the child, the most recent of which was resolution 70/137 of 17 December 2015, and all other relevant resolutions, including 69/158 of 18 December 2014 on protecting children from bullying and 69/187 of 18 December 2014 on migrant children and adolescents,

Reaffirming further the Universal Declaration of Human Rights,[3] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, including that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Recalling the International Covenant on Civil and Political Rights,[4] the International Covenant on Economic, Social and Cultural Rights,[4] the Convention on the Rights of Persons with Disabilities,[5] the International Convention for the Protection of All Persons from Enforced Disappearance,[6] the 1951 Convention

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[6] Ibid., vol. 2716, No. 48088.

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relating to the Status of Refugees[7] and the 1967 Protocol thereto,[8] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] the United Nations Convention against Transnational Organized Crime[10] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[11] the Convention on the Elimination of All Forms of Discrimination against Women[12] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[13]

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for actions concerning children,

Reaffirming also the Vienna Declaration and Programme of Action,[14] the United Nations Millennium Declaration[15] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[16] recalling the Beijing Declaration and Platform for Action,[17] the Programme of Action of the International Conference on Population and Development[18] and the outcome documents of their review conferences, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[19] the Declaration on Social Progress and Development,[20] the Universal Declaration on the Eradication of Hunger and Malnutrition,[21] the United Nations Declaration on the Rights of Indigenous Peoples[22] and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[23] the Declaration on the Right to Development,[24] the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[25] the outcome document, entitled "The future we want", adopted at the United Nations Conference

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[7] Ibid., vol. 189, No. 2545.

[8] Ibid., vol. 606, No. 8791.

[9] Ibid., vol. 2220, No. 39481.

[10] Ibid., vol. 2225, No. 39574.

[11] Ibid., vol. 2237, No. 39574.

[12] Ibid., vol. 1249, No. 20378.

[13] Ibid., vol. 1465, No. 24841.

[14] A/CONF.157/24 (Part I), chap. III.

[15] Resolution 55/2.

[16] Resolution S-27/2, annex.

[17] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[18] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No.E.95.XIII.18), chap. I, resolution 1, annex.

[19] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No.E.96.IV.8), chap. I, resolution 1, annexes I and II.

[20] See resolution 2542 (XXIV).

[21] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No.E.75.II.A.3), chap. I.

[22] Resolution 61/295, annex.

[23] Resolution 69/2.

[24] Resolution 41/128, annex.

[25] Resolution 62/88.

on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,[26] and the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and recalling also the World Congresses against Sexual Exploitation of Children and Adolescents, the Global Action Programme on Education for Sustainable Development[27] and the World Education Forum 2015, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

Underscoring the importance of the implementation of the 2030 Agenda for Sustainable Development[28] in ensuring the enjoyment of the rights of the child,

Welcoming other international, regional and bilateral partnerships to advance the protection of the rights of the child, including the Global Partnership to End Violence against Children, and recognizing that relevant multi-stakeholder coalitions are important to effectively promote and protect the rights of the child,

Taking note of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[29] and on the status of the Convention on the Rights of the Child and the issues addressed in resolution 70/137,[30] as well as the report of the Special Representative of the Secretary-General on Violence against Children,[31] the report of the Special Representative of the Secretary-General for Children and Armed Conflict[32] and the report of the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography,[33] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Reaffirming that States have the primary responsibility to respect, promote and protect all human rights and fundamental freedoms, including the rights of the child,

Acknowledging the important role played by national governmental and local structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and

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[26] Resolution 66/288, annex.

[27] See A/69/76, annex, enclosure 2.

[28] Resolution 70/1.

[29] A/71/175.

[30] A/70/315.

[31] A/71/206.

[32] A/71/205.

[33] A/71/261.

recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, all forms of exploitation, including for the purposes of commercial sexual exploitation of children, such as child prostitution, child pornography and other sexual abuse material, child sex tourism and child sexual exploitation in travel and trafficking in children, including for the purpose of organ removal and for the transfer of organs of the child for profit, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Profoundly concerned also that the situation of children in many parts of the world remains negatively affected by the prolonged effects of the world financial and economic crisis, poverty and inequality, reaffirming that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, recognizing its impact beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, in this regard underlining the importance of the implementation of the 2030 Agenda for Sustainable Development, and recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from all forms of violence and to promote the resilience of children, their families and communities,

Expressing deep concern that, despite the recognition of the right of the child to express his or her views freely on all matters affecting him or her, with his or her views given due weight in accordance with the age and maturity of the child, children are still seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right has yet to be fully realized,

Deeply concerned that children disproportionately suffer the consequences of discrimination, exclusion, inequality and poverty,

Deeply concerned also that approximately 5.9 million children under the age of 5 die each year, mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality sexual, reproductive and maternal health-care services, as well as newborn and child health care and services, early childbearing, as well as lack of access to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, including breastfeeding, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Recognizing that the risk of maternal mortality is highest for girls under 15 years of age and that complications in pregnancy and childbirth are a leading cause of death among girls under 15 years of age in many countries,

I

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 10 of its resolution 68/147 of 18 December 2013, urges States that have not yet done so to consider acceding to the Convention on the Rights of the Child[1] and to the Optional Protocols thereto[2] as a matter of priority and to implement them effectively and fully, and encourages further efforts by the Secretary-General in this regard;

2. *Notes* the entry into force on 14 April 2014 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,[34] and calls upon States to consider its accession, ratification and implementation;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[14]

4. *Welcomes* the work of the Committee on the Rights of the Child, and, taking into account the adoption of its general comments and its actions to follow up on its concluding observations on the implementation of the Convention and recommendations, calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations, observations and general comments on the implementation of the Convention;

5. *Also welcomes* the attention paid to the rights of the child by the Special Representatives of the Secretary-General on Violence against Children and for Children and Armed Conflict and the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography, and, in this regard, their contribution to the progress achieved in the promotion and the protection of the rights of children;

II

Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

6. *Reaffirms* paragraphs 11 to 14 of its resolution 68/147, and calls upon States to ensure the enjoyment by all children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

7. *Calls upon* States to develop gender- and age-sensitive policies and capacities to ensure the rights and address the particular needs of children, including migrant children, and prevent and respond to cases of gender-based violence;

8. *Notes with concern* the large number of children belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee or asylum-seeking children, internally displaced children, and children of indigenous origin who are victims of discrimination, including racism, racial discrimination,

[34] Resolution 66/138, annex.

xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views and the child's gender-specific needs, including children with special needs, in education programmes and programmes to combat these practices, and calls upon States to provide special support and to ensure equal access to services for those children;

9. *Urges* all States to respect, protect and promote the right of girls and boys to express themselves freely, and their right to be heard, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them, and to involve children, including children with special needs, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

10. *Recognizes* that discrimination against any child on the basis of disability is a violation of the inherent dignity and worth of the child, and expresses grave concern that children with disabilities face violations of their human rights, as well as discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community;

Registration, family relations, adoption and alternative care

11. *Reaffirms* paragraphs 15 to 19 of its resolution 68/147, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to birth registration, family relations and adoption or other forms of alternative care;

12. *Encourages* States to consider accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction,[35] which takes into consideration the principle of the best interests of the child, and, in cases of international parental or familial child abduction, to engage in bilateral and, when appropriate, multilateral cooperation to resolve those cases by facilitating, inter alia, the return of the child to his or her country of habitual residence, where the appropriate court can make a custody decision, taking into consideration the principle of the best interests of the child;

Economic and social well-being of children

13. *Reaffirms* paragraphs 20 to 29 of its resolution 68/147, calls upon all States and the international community to create an enabling environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their commitments, including the Sustainable Development Goals, and affirms that investment in children has high economic and social returns and that all related efforts to ensure that resources allocated and spent for children, especially on children's education and health, should serve as a means for the fulfilment of the rights of the child;

14. *Emphasizes* the role of international cooperation in support of national and subnational efforts and in raising the capacities, including at the community level, for the fulfilment of the rights of the child, through, inter alia, the enhancement of cooperation with the human rights mechanisms, relevant United Nations agencies, funds and programmes, including through the provision of

[35] United Nations, *Treaty Series*, vol. 1343, No. 22514.

technical and financial assistance, upon the request of and in accordance with the priorities set by the States concerned;

15. *Calls upon* all States and the international community to cooperate, support and participate in the global efforts towards poverty eradication, by fulfilling their previous commitments, implementing the 2030 Agenda for Sustainable Development[28] and mobilizing all necessary resources and support in that regard, according to national plans and strategies, including through an integrated and multifaceted approach based on the rights and well-being of children;

Child labour

16. *Reaffirms* paragraphs 30 to 33 of its resolution 68/147, and urges States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest, and to promote education as a key strategy in this regard;

17. *Urges* all States that have not yet done so to consider ratifying both the Worst Forms of Child Labour Convention, 1999 (No. 182),[36] and the Minimum Age Convention, 1973 (No. 138),[37] of the International Labour Organization;

18. *Recognizes* that poverty and social exclusion, labour mobility, discrimination and lack of adequate social protection and educational opportunity, as well as lack of birth registration, all influence child labour;

Prevention and elimination of violence against children

19. *Reaffirms* paragraphs 34 to 39 of its resolution 68/147 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007 on the elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 34 of its resolution 68/147 and paragraph 3 of its resolution 69/158 and:

(*a*) To take effective and appropriate legislative and other measures to prohibit, prevent and eliminate all forms of violence against children in all settings, including harmful practices in all situations, and to strengthen international, national and local cooperation and mutual assistance in this regard;

(*b*) To protect children from all forms of violence, including by exercising due diligence, investigating, prosecuting and punishing the perpetrators of violence against all children and ending impunity, to provide protection as well as universal access to comprehensive social, physical and mental health and legal services and counselling for all victims and survivors, to ensure their full recovery and reintegration into society, and to address the structural and underlying causes of violence against all children through enhanced prevention measures, research and strengthened coordination and monitoring and evaluation;

(*c*) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence and harmful practices, including female genital mutilation, acknowledging that girls and boys face varying risks from

[36] Ibid., vol. 2133, No. 37245.

[37] Ibid., vol. 1015, No. 14862.

different forms of violence at different ages and in different situations, including in schools;

20. *Also reaffirms* that violence against children is never justifiable and that it is the duty of States to protect children, including those in conflict with the law, from all forms of violence and human rights violations and to exercise due diligence to prohibit, prevent and investigate acts of violence against children, eliminate impunity and provide assistance to the victims, including preventing revictimization;

21. *Recalls* that 2016 marks the tenth anniversary of the submission of the United Nations study on violence against children to the General Assembly,[38] and welcomes the efforts of the Special Representative of the Secretary-General on Violence against Children in mainstreaming the study recommendations in the international, regional and national agenda;

22. *Expresses support* for the work of the Special Representative of the Secretary-General on Violence against Children, and recognizes the progress achieved since the establishment of her mandate in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children, including through her regional and thematic consultations and field missions and thematic reports addressing emerging concerns;

23. *Urges* all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting the further implementation of the recommendations of the United Nations study on violence against children, encourages States to provide support to the Special Representative, including adequate voluntary financial support for the continued, effective and independent performance of her mandate, and invites organizations, including the private sector, to provide voluntary contributions for that purpose;

24. *Strongly condemns* the abduction of children, and calls upon all States to take all appropriate measures to secure their unconditional release, rehabilitation and reintegration and their reunification with their families or legal guardians, in accordance with the best interests of the child;

25. *Notes with appreciation* the adoption of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[39] encourages States to take effective measures for their dissemination and implementation, as appropriate, and invites relevant United Nations actors to support Member States, where appropriate, to this end through concerted efforts;

Promoting and protecting the rights of children, including children in particularly difficult situations

26. *Reaffirms* paragraphs 40 to 48 of its resolution 68/147, and calls upon all States to promote and protect all human rights of all children, to implement evidence-based programmes and measures that provide them with special protection and assistance, including access to health care and inclusive and equitable quality

[38] See A/61/299.

[39] Resolution 69/194, annex.

education and social services, to consider implementing voluntary repatriation, reintegration or resettlement where appropriate and feasible, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are a primary consideration;

27. *Calls upon* all States to ensure, for children belonging to minorities and vulnerable groups and children in vulnerable situations, including migrant children and indigenous children, as well as children placed in alternative care and within the juvenile justice system and in detention, the enjoyment of all human rights regardless of migration status and access to health care, social services and education without discrimination and to ensure that all such children, in particular unaccompanied migrant children, those separated from their parents and primary caregivers and those who are victims of violence and exploitation, receive appropriate protection and assistance;

28. *Calls upon* States to ensure that migrant children in need of protection, particularly unaccompanied migrant children and those separated from their parents or primary caregivers, are, giving primary consideration at all times to the best interests of the child, referred to the relevant national child protection authorities and other relevant authorities;

Children and the administration of justice

29. *Reaffirms* paragraphs 49 to 57 of its resolution 68/147, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

30. *Encourages* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice;

31. *Encourages* States to develop and implement a comprehensive juvenile justice policy to protect and address the needs of children in contact with the law, with a view to promoting, inter alia, a commitment to improving the quality of education available to children placed in alternative care and within the juvenile justice system, crime prevention programmes, the use of alternative measures, such as diversion, restorative justice and community-based programmes that focus on the rehabilitation and reintegration of the child, and ensuring compliance with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

Prevention and eradication of the sale of children, child prostitution and child pornography

32. *Reaffirms* paragraph 58 of its resolution 68/147, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale and trafficking of children, including for the purposes of removal of organs of the child for profit, child slavery, forced labour and the sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the rights and needs of victims effectively, including universal access to comprehensive social, physical and mental

health and legal services, without discrimination of any kind, and counselling for all victims to ensure their full recovery and reintegration into society, and take effective measures against the criminalization of children who are victims of exploitation;

Children affected by armed conflict

33. *Reaffirms* paragraphs 59 to 70 of its resolution 68/147, condemns in the strongest terms all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, in recurrent attacks on schools and/or hospitals and related personnel, and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them, and to encourage age- and gender-specific support services, including sexual and reproductive health-care services, and takes note in this regard of the adoption of Security Council resolution 2225 (2015) of 18 June 2015;

34. *Recalls* that 2016 marks the twentieth anniversary of resolution 51/77, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created, welcomes the significant developments and achievements in the protection of children affected by armed conflict and in the implementation of the mandate since its creation, also welcomes the global consensus to end and prevent child recruitment and use in conflict and to protect them from all grave violations, further welcomes the efforts by the Special Representative to raise international awareness on the protection of children affected by armed conflict and the collaboration with the United Nations Children's Fund and other United Nations agencies, funds and programmes and regional organizations to improve the protection of children affected by armed conflict, and takes note with appreciation of the efforts of the Secretary-General and United Nations bodies to implement the monitoring and reporting mechanism on children and armed conflict;

35. *Urges* all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to give serious attention to, and to protect and assist child victims of, all violations and abuses of human rights and violations of international humanitarian law committed against children in situations of armed conflict, in accordance with international law, including the Geneva Conventions of 1949[40] and the Additional Protocols thereto of 1977;[41]

36. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

[40] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[41] Ibid., vol. 1125, Nos. 17512 and 17513.

37. *Remains deeply concerned*, however, over the lack of progress on the ground in some situations and the deterioration in other situations where parties to armed conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict;

38. *Expresses its deep concern* about attacks, as well as threats of attacks, in contravention of applicable international law against schools and/or hospitals, and protected persons in relation to them, welcomes the publication of the guidance note on Security Council resolution 1998 (2011) of 12 July 2011 on attacks on schools and hospitals by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict in collaboration with the United Nations Children's Fund, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, and takes note of the adoption of Security Council resolution 2143 (2014) of 7 March 2014;

39. *Welcomes*, in this regard, the "Children, not soldiers" campaign initiated by the Special Representative of the Secretary-General for Children and Armed Conflict and the United Nations Children's Fund, in collaboration with other United Nations partners, aimed at ending and preventing, by the end of 2016, the recruitment and use of children by the national security forces concerned, looks forward to continuing efforts in this regard by the States concerned, and requests the Special Representative to report on progress in her next report to the General Assembly;

III

Migrant children

40. *Reaffirms* the New York Declaration for Refugees and Migrants,[42] welcomes the launch of a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration in 2018, and stresses the centrality of full respect for the human rights of all migrants, including migrant children;

41. *Also reaffirms* its previous resolutions on migrant children and adolescents, on the protection of migrants and on violence against woman migrant workers, the resolutions of the Commission on Human Rights and the Human Rights Council on the protection of the human rights of all migrants and the work of the various special mechanisms of the Council that have reported on the situation of the human rights and fundamental freedoms of migrants, particularly migrant children;

42. *Further reaffirms* that everyone, including all children, is entitled to all human rights and fundamental freedoms, without distinction of any kind, wherever the child is and regardless of his or her migration status;

43. *Reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, including those of women and children, regardless of their migration status, in conformity with the Universal Declaration of Human Rights[3] and the international instruments to which they are party;

[42] Resolution 71/1.

44. *Also reaffirms* that States, in accordance with their obligations under international law, are responsible for promoting and protecting the human rights and fundamental freedoms of all migrants, regardless of their migration status, including accompanied and unaccompanied children, including adolescents, within their territorial jurisdiction, and encourages States to promote national child and adolescent protection systems, in consultation with all sectors of society, including migrant communities, civil society organizations and other relevant actors;

45. *Recognizes* that international migration is a multidimensional reality of major relevance for the development of countries of origin, transit and destination, which requires coherent and comprehensive responses integrating development with due regard for social, economic and environmental dimensions and respecting human rights, and that migrants can make positive and profound contributions to economic and social development in their host societies and to global wealth creation;

46. *Expresses deep concern* regarding the large and growing number of migrant children, particularly those unaccompanied or separated from their parents or primary caregivers, who may be particularly vulnerable along their journey, and reaffirms the obligation of States to respect and protect the human rights and fundamental freedoms of those migrant children, regardless of their migration status, in accordance with the obligations of States under international law, including international human rights law;

47. *Recognizes* that the migration of accompanied and unaccompanied children may be the result of diverse causes and factors, such as poverty, lack of social and economic opportunities in their communities of origin, the death of one or both parents, the search for family reunification, all forms of violence and lack of personal safety and/or the adverse effects of climate change, natural disasters or environmental factors;

48. *Takes note* of the report of the Secretary-General entitled "In safety and dignity: addressing large movements of refugees and migrants",[43] including the recognition that respect for the human rights of all those who leave their countries, regardless of their migration status, is a fundamental tenet;

49. *Emphasizes* the importance of protecting persons in vulnerable situations, in particular migrant children, and in this regard:

(*a*) Expresses concern about legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the rights of migrants;

(*b*) Reaffirms that any type of return of migrant children, whether voluntary or otherwise, must be consistent with obligations under international human rights law and in compliance with the principle of non-refoulement;

(*c*) Reaffirms the commitment to combating racism, racial discrimination, xenophobia and related intolerance and discrimination against all migrants, including migrant children, and the stereotypes often applied to them, calls upon

[43] A/70/59.

States to take measures to improve their integration and inclusion, as appropriate, with particular reference to access to education, health care, justice and language training with the aim of ensuring their adequate inclusion, as a positive asset to society, and in this regard welcomes the global campaign proposed by the Secretary-General to counter xenophobia;

50. *Encourages* States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

51. *Welcomes* immigration programmes that allow migrant children to integrate fully into host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States that have not yet done so to consider the adoption of these types of programmes;

52. *Encourages* States to take into account the conclusions and recommendations of the study of the Office of the United Nations High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of migration[44] when designing and implementing their migration policies;

53. *Expresses the commitment* to protect the human rights of migrant children and to provide for their health, education and psychosocial development;

54. *Strongly reaffirms* that education is a fundamental human right, a basis for guaranteeing the realization of other human rights and is essential for sustainable development and the promotion of peace and tolerance, as well as key to achieving full employment and poverty eradication, and affirms that quality education provided in safe environments is instrumental in child protection strategies;

55. *Encourages* all States to prevent and eliminate discriminatory policies and legislation at all levels of government that deny migrant children access to an inclusive, equitable and non-discriminatory quality education at all levels, including vocational training, while taking into account the best interests of the child as a primary consideration, to foster the successful integration of migrant children into the education system and the removal of barriers to their education in host countries and countries of origin, facilitating the recognition of educational records and/or administrative requirements for school registration;

56. *Recognizes* that the right of the child to education can be severely hampered as a result of physical, psychological and sexual violence, as well as bullying, both in school and on the way to school, as well as online, which compromises learning outcomes and may lead to school dropout, and therefore calls upon States to prevent and protect children, including migrant children, from bullying, including cyberbullying and other online risks, such as sexual violence and online exploitation, by generating statistical information, promptly and adequately responding to such acts and providing appropriate support and counselling to children affected by and involved in bullying;

57. *Notes with concern* that child, early and forced marriage disproportionally affects girls, including migrant girls, who have received little or no formal education and is itself a significant obstacle to educational opportunities

[44] A/HRC/15/29.

for girls and young women, in particular girls who are forced to drop out of school owing to marriage and/or childbirth, recognizing that educational opportunities are directly related to women's and girls' empowerment, employment and economic opportunities and to their active participation in economic, social and cultural development, governance and decision-making;

58. *Calls upon* States to make primary education available, free and compulsory for all children, ensure free, equitable and quality secondary education and ensure that all girls and boys have access to quality early childhood development, care and pre-primary education;

59. *Calls upon* all States to give full effect to the right to education for all children, including migrant children, by taking all appropriate measures to eliminate obstacles to effectively accessing and completing education, such as the cost of education, hunger and poor nutrition, distance from home to school, the institutionalization of children, armed conflicts, all forms of violence in school, insufficient infrastructure, including lack of access to water and sanitation, the lack of adequate and physically and otherwise accessible schooling facilities for girls and children with disabilities, including access to adequate sanitation, and child labour or heavy domestic work, and to ensure that children who are institutionalized also enjoy the right to education;

60. *Calls upon* States to ensure the enjoyment by all children of all their civil, cultural, economic, political and social rights, without discrimination of any kind and regardless of their migration status, to take effective and appropriate measures to ensure the right of all children to the enjoyment of the highest attainable standard of physical and mental health, as well as access to quality, affordable and equitable health care and social services, without discrimination of any kind, and to ensure that all children, in particular victims of violence and exploitation, receive special protection and assistance;

61. *Calls upon* all States to take all measures necessary to ensure that the rights of the child, including the rights of migrant children, to life, survival and development and to the enjoyment of the highest attainable standard of physical and mental health are promoted, protected and fulfilled, without discrimination of any kind, including through the development and implementation of laws, strategies and policies that have a human rights approach, with appropriate budgeting and resource allocation and adequate investment in resilient and responsive health systems and public health services, with an adequately skilled, well-trained and motivated workforce, ensuring their availability, accessibility, affordability, acceptability and quality;

62. *Encourages* States to take into account the Guidelines for the Alternative Care of Children,[45] and to adopt and enforce laws and to improve the implementation of policies and programmes, budget allocation and human resources to support children, particularly children living in disadvantaged and marginalized families, to ensure that they are cared for effectively by their own families and communities, and to protect children growing up without parents or caregivers; where alternative care is necessary, decision-making should be in the best interests of the child, in full consultation with the child, as age appropriate, and with the child's legal guardians;

[45] Resolution 64/142, annex.

63. *Notes with concern* that there are many cases of unaccompanied children going missing every year, and encourages States to sufficiently investigate all cases of missing unaccompanied children and take all measures necessary to increase their protection, including by, inter alia, enhancing national capacities to identify, register and document new arrivals;

64. *Recognizes* the particular vulnerability of migrants in transit situations, especially children, including through national borders, and the need to ensure full respect for their human rights in these circumstances also;

65. *Urges* States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations, including all migrant children, and to take into account, in conformity with their international obligations and commitments, the principle of the best interests of the child, clarity of reception and care arrangements and family reunification;

66. *Encourages* States to put in place, if they have not yet done so, appropriate systems and procedures to ensure that the best interests of the child are a primary consideration in all actions or decisions concerning migrant children, regardless of their migration status, and to use alternatives to the detention of migrant children;

67. *Underlines* that children, including adolescents, should not be subject to arbitrary arrest or detention based solely on their migration status and that the deprivation of the liberty of migrant children and adolescents should be a measure of last resort, under conditions that respect the human rights of each child and in a manner that takes into account, as a primary consideration, the best interests of the child;

68. *Reaffirms* that all individuals who have crossed or are seeking to cross international borders are entitled to due process in the assessment of their legal status, entry and stay, also reaffirms that States will consider reviewing policies that criminalize cross-border movements and will also pursue alternatives to detention while these assessments are under way, and recognizes that detention for the purposes of determining migration status is seldom, if ever, in the best interests of the child and that States will use it only as a measure of last resort, in the least restrictive setting, for the shortest possible period of time, under conditions that respect their human rights and in a manner that takes into account, as a primary consideration, the best interests of the child, and will work towards the ending of this practice;

69. *Encourages* States to develop or enhance early childhood programmes targeted at assisting families facing especially difficult circumstances, including those headed by single parents or children, those living in the most vulnerable and disadvantaged situations and those living in extreme poverty or caring for children with disabilities;

70. *Recognizes* the importance of coordinating efforts among countries of origin, transit and destination, while also recognizing their roles and responsibilities to address the irregular migration of unaccompanied children and to safeguard their human rights, with due consideration for the protection of the best interests of the child;

71. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to adequately train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance

with their obligations under international law, including human rights law, and to take timely and appropriate measures to prevent the separation of migrant children from their parents or primary caregivers;

72. *Calls upon* countries of origin, transit and destination to facilitate family reunification as an important objective in order to promote the welfare and the best interests of migrant children, including adolescents, as applicable under national law, due process and the relevant provisions of the Convention on the Rights of the Child and the Optional Protocols thereto, and to comply with the consular notification and access obligations set forth in the Vienna Convention on Consular Relations [46] so that States may provide child-friendly consular assistance, as appropriate, including legal assistance;

73. *Bears in mind* that policies and initiatives on the issue of migration, including those that refer to border control and the orderly management of migration, must be in accordance with international human rights obligations in order to uphold the human rights and fundamental freedoms of all migrant children;

74. *Reaffirms emphatically* the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations, in particular with regard to the right of all foreign nationals, regardless of their migration status, to communicate with a consular official of the sending State in case of arrest, imprisonment, custody or detention and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

75. *Calls upon* all States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment, to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance, that they have the right to maintain contact with their family through correspondence and visits from the moment that they are arrested, save in exceptional circumstances, and that no child is sentenced or subject to forced labour or corporal punishment or deprived of access to and provision of health care and services, hygiene and environmental sanitation, education, basic instruction and vocational training, and to undertake prompt investigations of all reported acts of violence and ensure that perpetrators are held accountable;

76. *Reaffirms* the importance of the principle of access to justice, including for migrant children, convinced that, without access to justice, basic human rights cannot be fully realized;

77. *Also reaffirms* that all migrant children are entitled to equal protection by the law and that all persons, regardless of their migration status, are equal before the courts and tribunals and, in the determination of their rights and obligations in a suit at law, are entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law;

78. *Calls upon* States to promote and protect the rights of every child to be registered immediately after birth, to receive a birth certificate, to have a name from birth, to acquire a nationality and, as far as possible, to know and be cared for by his or her parents, in particular where the child would otherwise be stateless;

79. *Urges* States to respect the right of every child, including migrant children, to preserve his or her identity, including nationality, name and family

[46] United Nations, *Treaty Series*, vol. 596, No. 8638.

relations as recognized by law without unlawful interference, and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity;

80. *Expresses its concern* that migrant children, including adolescents, may be exposed to serious human rights violations and abuses at various points in their journey, which can threaten their physical, emotional and psychological well-being, in the countries of origin, transit and destination, and that many irregular migrant children and adolescents may not be aware of their rights and may be exposed to crimes and human rights abuses committed by, inter alia, transnational criminal organizations and common criminals and include theft, kidnapping, extortion, threats, trafficking in persons, forced labour, child labour, sexual abuse and exploitation, physical harm and death;

81. *Recognizes* that women and girls account for almost half of all international migrants at the global level and the need to address the special situation and vulnerability of migrant girls by, inter alia, incorporating a gender perspective into policies and strengthening national laws, institutions and programmes to combat gender-based violence, including trafficking in persons and discrimination against girls;

82. *Expresses its concern* about the increase in the activities and profits of transnational and national organized crime entities and others who profit from crimes against migrants, especially migrant children, without regard for dangerous and inhumane conditions, in flagrant violation of national laws and international law and contrary to international standards;

83. *Also expresses its concern* about the high level of impunity enjoyed by traffickers and their accomplices, as well as other members of organized crime entities, and in this context the denial of rights and justice to migrant children, including adolescents, who have suffered from abuse;

84. *Encourages* States to cooperate effectively in protecting witnesses in cases of the smuggling of migrants, regardless of their migration status;

85. *Calls upon* States to ensure that the best interests of the child are a primary consideration in their legislation, policies and practices, including on integration, return and family reunification;

86. *Underlines* the right of migrant children to return to their country of citizenship in conformity with the principle of the best interests of the child and with full respect for human rights, and recalls that States must ensure that their returning nationals are duly received;

87. *Stresses* the importance of international, regional and bilateral cooperation in the protection of the human rights of migrant children, and therefore:

(*a*) Welcomes the consideration afforded to the issues of migration, development and human rights in the 2030 Agenda for Sustainable Development;

(*b*) Encourages States to strengthen international cooperation to advance the protection of the rights of the child and in particular to promote the participation of children, as appropriate, in multi-stakeholder coalitions such us the Global Partnership to End Violence against Children;

(*c*) Encourages States to promote the effective implementation of the 2030 Agenda, including the facilitation of safe, orderly and regular migration and

mobility of people, including through the implementation of planned and well-managed migration policies;

(*d*) Expresses serious concern about the situation of vulnerability and risk faced by migrants in transit and destination countries, in particular migrant children, including adolescents, who are unaccompanied or separated from their families, who are forced to flee or decide to leave their homelands owing to multiple causes, and calls upon States of origin, transit and destination to work together to find effective and sustainable solutions, including within a framework of solidarity and regional and international cooperation;

(*e*) Emphasizes the need for reliable statistical data disaggregated by sex, age and migratory status on international migration, including on migrant children, and in that regard calls upon the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the development of methodologies for the collection and processing of statistical data on international migration and the situation of migrant children in countries of origin, transit and destination and to assist Member States in their capacity-building efforts in this regard;

(*f*) Recognizes all efforts made by Governments, all relevant bodies, agencies, funds and programmes of the United Nations system, other relevant intergovernmental, regional and subregional organizations, including the International Organization for Migration and other organizations of the Global Migration Group, and non-governmental stakeholders, including the private sector, in addressing international migration and development for the benefit of both migrants and societies, and bearing this goal in mind emphasizes the need to strengthen partnerships among all relevant stakeholders;

(*g*) Requests all States, international and national organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, transit and destination, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of unaccompanied children and irregular migration, granting priority to the protection of the human rights of migrants;

IV

Follow-up

88. *Recalls* its resolution 69/157 of 18 December 2014, in which it invited the Secretary-General to commission an in-depth global study on children deprived of liberty, to be funded through voluntary contributions, in this regard encourages Member States and United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study, and invites the designated independent expert who will lead the study to update Member States on the progress made and to submit a final report to the General Assembly at its seventy-third session;

89. *Decides*:

(*a*) To request the Secretary-General to submit to the General Assembly at its seventy-second session a report on the rights of the child containing information on

the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on violence against children;

(*b*) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(*c*) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution 62/141, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

(*d*) To request the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining in the prevention and eradication of the sale of children, child prostitution and child pornography and the sexual exploitation and abuse of children;

(*e*) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventy-second session as a way to enhance communication between the Assembly and the Committee;

(*f*) To continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of the rights of children", focusing on section III of the resolution entitled "Rights of the child" on the theme "Violence against children".

65th plenary meeting
19 December 2016

United Nations A/RES/71/178

General Assembly

Distr.: General
31 January 2017

Seventy-first session
Agenda item 65 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/481)*]

71/178. Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples, reaffirming its resolutions 65/198 of 21 December 2010, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013, 69/2 of 22 September 2014, 69/159 of 18 December 2014 and 70/232 of 23 December 2015, and recalling Human Rights Council resolutions 27/13 of 25 September 2014,[1] 30/4 of 1 October 2015[2] and 33/12 and 33/13 of 29 September 2016,[3]

Reaffirming the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014,[4] in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples, recalling the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples, and welcoming and reaffirming the commitments, measures and efforts undertaken by States, the United Nations system, indigenous peoples and other actors in its implementation,

Encouraging the active engagement of indigenous peoples in the implementation of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, including at the regional and global levels,

Welcoming the 2030 Agenda for Sustainable Development,[5] stressing the need to ensure that no one is left behind, including indigenous peoples, who will benefit

[1] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.

[2] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.

[3] Ibid., *Seventy-first Session, Supplement No. 53A* and corrigendum (A/71/53/Add.1 and Corr.1), chap. II.

[4] Resolution 69/2.

[5] Resolution 70/1.

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from and participate in the implementation of the 2030 Agenda, and encouraging Member States to give due consideration to all the rights of indigenous peoples while implementing the 2030 Agenda,

Welcoming also Human Rights Council resolution 33/25 of 30 September 2016,[5] in which the Council amended the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, which shall provide the Council with expertise and advice on the rights of indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous Peoples[6] and assist Member States, upon request, in achieving the ends of the Declaration through the promotion, protection and fulfilment of the rights of indigenous peoples,

Reaffirming the United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

Welcoming the first World Indigenous Games, held in Palmas, Brazil, from 23 October to 1 November 2015 with the participation of indigenous athletes from more than 20 countries, as well as the second such event, to be held in Canada in 2017, and recognizing the Games as a celebration of the diversity of cultural and social expressions of indigenous peoples,

Recognizing that violence against indigenous women and girls has a negative impact on their enjoyment of human rights and fundamental freedoms and constitutes a major impediment to women's full, equal and effective participation in society, the economy and political decision-making, and in this regard recalling Human Rights Council resolution 32/19 of 1 July 2016, entitled "Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls",[7] which brings closer attention to this issue,

Expressing concern that, in some cases, suicide rates in indigenous peoples' communities, in particular among indigenous youth and children, are significantly higher than in the general population,

Deeply concerned at the vast number of endangered languages, in particular indigenous languages, and stressing that, despite the continuing efforts, there is an urgent need to preserve, promote and revitalize endangered languages,

Recognizing the importance to indigenous peoples of revitalizing, using, developing and transmitting to future generations their histories, languages, oral traditions, philosophies, writing systems and literature,

Bearing in mind the importance of promoting respect for the rights of indigenous children, in particular combating the worst forms of child labour, in

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[6] Resolution 61/295, annex.

[7] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

accordance with international law, including relevant human rights law and international labour law obligations,

Bearing in mind also the importance of the empowerment and capacity-building of indigenous women and youth, including their full and effective participation in decision-making processes in matters that affect them directly, including policies, programmes and resources, where relevant, that target the well-being of indigenous women and youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and the importance of taking measures to promote awareness and understanding of their rights,

Recognizing the importance of access to justice in the promotion and protection of the rights of indigenous peoples and individuals and the need to examine and take steps to remove obstacles to justice, especially for indigenous women, indigenous youth and indigenous persons with disabilities,

Underlining the responsibility of transnational corporations and other business enterprises to respect all human rights, applicable laws and international principles[8] and operate transparently and in a socially and environmentally responsible manner, and emphasizing the need to refrain from negatively affecting the well-being of indigenous peoples and to take further action towards corporate responsibility and accountability, including the prevention, mitigation and remediation of human rights abuses,

Recognizing the value and the diversity of the cultures and the form of social organization of indigenous peoples and their holistic traditional knowledge of their lands, natural resources and environment,

Recognizing also the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

Recognizing further the importance of facilitating indigenous peoples' livelihoods, which may be achieved by, inter alia, the recognition of their traditions, adequate public policies and economic empowerment,

Recognizing that the economic empowerment, inclusion and development of indigenous peoples, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, and noting the contribution of indigenous peoples to the broader economy,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

Stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as

[8] Including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting their access to justice,

1. *Notes with appreciation* the work of the Expert Mechanism on the Rights of Indigenous Peoples, of the Permanent Forum on Indigenous Issues and of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report,[9] and encourages all Governments to respond favourably to her requests for visits;

2. *Urges* Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to continue to implement, when appropriate, measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples[6] and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service, as well as among indigenous peoples, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Underscores* the importance of implementing the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[4] and reiterates the commitment of Member States to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Encourages* Member States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development[5] and in the elaboration of national programmes;

5. *Reaffirms* the decision to convene a high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held during the seventy-first session of the General Assembly, in 2017, and that the event will take stock of the achievements of the preceding 10 years and assess the remaining challenges for the rights of indigenous peoples, and also consider the further follow-up to the Declaration, including the consideration of a third International Decade;

6. *Requests* the President of the General Assembly to make the arrangements necessary for the high-level event that will be held during the sixteenth session of the Permanent Forum on Indigenous Issues, in 2017, encourages the participation of Member States, the United Nations system, in particular the Permanent Forum, the Expert Mechanism and the Special Rapporteur, as well as indigenous peoples' representatives, institutions and organizations, in accordance with the established practice for their accreditation, and encourages Member States to raise awareness of this event;

7. *Encourages* States to organize activities to commemorate the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples at various levels, from local to national, including to raise public awareness of the Declaration, the progress achieved and the challenges remaining;

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[9] A/71/229.

8. *Welcomes* the leadership of the Secretary-General and of the Under-Secretary-General for Economic and Social Affairs, as the responsible senior official of the United Nations system, in developing a system-wide action plan to ensure a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples,[10] raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of the system in this regard, and encourages the funds, programmes and specialized agencies of the United Nations system, resident coordinators and United Nations country teams to implement this plan in full alignment with national development needs and priorities;

9. *Encourages* Member States to work towards achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples in the light of the tenth anniversary of the adoption of the Declaration;

10. *Encourages* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization[11] to consider doing so;

11. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues and the United Nations Indigenous Peoples' Partnership, invites indigenous organizations and private institutions and individuals to do likewise, and notes the importance of accessibility, accountability, transparency and balanced geographical distribution in the management of these funds;

12. *Decides* to continue to observe in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, requests the Secretary-General to support the observance of the Day from within existing resources, and encourages Governments to observe the Day at the national level;

13. *Proclaims* the year beginning on 1 January 2019 the International Year of Indigenous Languages, to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels, and invites the United Nations Educational, Scientific and Cultural Organization to serve as the lead agency for the Year, in collaboration with other relevant agencies, within existing resources;

14. *Encourages* States to consider including in their reports related to indigenous peoples and women information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action",[12] and 56/4 of 9 March 2012, entitled "Indigenous women: key actors in poverty and hunger eradication",[13]

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[10] E/C.19/2016/5 and Corr.1.

[11] United Nations, *Treaty Series*, vol. 1650, No. 28383.

[12] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. D.

[13] Ibid., *2012, Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. D.

15. *Also encourages* States to consider including in their voluntary national reviews for the high-level political forum on sustainable development and their national and global reports information related to indigenous peoples on the progress made and challenges in the implementation of the 2030 Agenda, bearing in mind paragraphs 78 and 79 of the 2030 Agenda, and further encourages States to compile disaggregated data to measure progress and to ensure that no one is left behind;

16. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate structural and legal barriers to their full, equal and effective participation in political, economic, social and cultural life;

17. *Reaffirms* the importance of effective accountability with regard to violence against indigenous women and girls, including sexual violence, abuse and exploitation, and of taking adequate measures to combat such violence;

18. *Welcomes* the decision of the Commission on the Status of Women to place the issue of empowerment of indigenous women on the agenda of its sixty-first session as a focus area, and encourages States to participate actively in discussions on this issue;

19. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development policies and programmes at the national, regional and international levels, and encourages them to give due consideration to the rights of indigenous peoples in achieving the goals of the 2030 Agenda;

20. *Invites* the Expert Mechanism, the Permanent Forum and the Special Rapporteur to give due consideration, within their mandates, to the rights of indigenous peoples as related to the implementation of the 2030 Agenda;

21. *Encourages* Governments to redouble efforts to combat the worst forms of child labour, both in legislation and in practice, in the context of respect for the human rights of indigenous children, including through international cooperation, as appropriate;

22. *Encourages* States and entities of the United Nations system to strengthen international cooperation, including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

23. *Encourages* the World Health Organization, the United Nations Children's Fund and other relevant United Nations agencies, funds and programmes, in accordance with their mandates, to carry out research and evidence-gathering on the prevalence of suicide among indigenous youth and children and good practices on its prevention and to consider developing, as appropriate, strategies or policies, consistent with national priorities, in cooperation with Member States, to tackle it, including through consultation with indigenous peoples, in particular indigenous youth organizations;

24. *Reaffirms* the request to the President of the General Assembly to conduct, within existing resources, timely, inclusive, representative and transparent

consultations with Member States, indigenous peoples' representatives and institutions from all regions of the world, and existing relevant mechanisms of the United Nations, on the possible measures necessary, including procedural and institutional steps and selection criteria, to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them;

25. *Also reaffirms* the commitment made by the General Assembly at the World Conference on Indigenous Peoples to consider ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, and in this regard takes note with appreciation of the work undertaken thus far, led by the President of the General Assembly at its seventieth session, in preparing a compilation of the views presented during the consultations, including good practices within the United Nations regarding indigenous peoples' participation, which will form the basis for a draft text to be finalized and adopted by the Assembly during its seventy-first session;

26. *Decides* to continue its consideration of the question at its seventy-second session, under the item entitled "Rights of indigenous peoples", and to maintain in the provisional agenda the sub-item entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples".

65th plenary meeting
19 December 2016

General Assembly

Distr.: General
1 February 2017

Seventy-first session
Agenda item 66 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/482)*]

71/179. Combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination[3] and other relevant human rights instruments,

Recalling the provisions of Commission on Human Rights resolutions 2004/16 of 16 April 2004[4] and 2005/5 of 14 April 2005[5] and relevant Human Rights Council resolutions, in particular resolutions 7/34 of 28 March 2008,[6] 18/15 of 29 September 2011[7] and 21/33 of 28 September 2012,[8] as well as General Assembly resolutions 60/143 of 16 December 2005, 61/147 of 19 December 2006, 62/142 of 18 December 2007, 63/162 of 18 December 2008, 64/147 of 18 December 2009, 65/199 of 21 December 2010, 66/143 of 19 December 2011, 67/154 of 20 December 2012, 68/150 of 18 December 2013, 69/160 of 18 December 2014 and 70/139 of 17 December 2015 on this issue, and its resolutions 61/149 of 19 December 2006, 62/220 of 22 December 2007, 63/242 of 24 December 2008, 64/148 of 18 December 2009, 65/240 of 24 December 2010, 66/144 of 19 December 2011, 67/155 of 20 December 2012, 68/151 of 18 December 2013 and 69/162 of 18 December 2014, and its resolution 70/140 of 17 December 2015, entitled "A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 660, No. 9464.

[4] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[5] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[6] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[7] Ibid., *Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.

[8] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. II.

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related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action",

Acknowledging other important initiatives of the General Assembly aimed at raising awareness about the suffering of victims of racism, racial discrimination, xenophobia and related intolerance and all forms of discrimination, including in the historical perspective, in particular regarding commemoration of the victims of slavery and the transatlantic slave trade,

Recalling the Charter of the Nuremberg Tribunal and the Judgment of the Tribunal, which recognized as criminal, inter alia, the SS organization and all its integral parts, including the Waffen SS, through its officially accepted members implicated in or with knowledge of the commission of war crimes and crimes against humanity connected with the Second World War, as well as other relevant provisions of the Charter and the Judgment,

Recalling also the relevant provisions of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[9] in particular paragraph 2 of the Declaration and paragraph 86 of the Programme of Action, as well as the relevant provisions of the outcome document of the Durban Review Conference of 24 April 2009,[10] in particular paragraphs 11 and 54,

Alarmed, in this regard, at the spread in many parts of the world of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, as well as racist extremist movements and ideologies,

Deeply concerned by all recent manifestations of violence and terrorism incited by violent nationalism, racism, xenophobia and related intolerance, including during sports events,

Recognizing with deep concern the alarming increase in instances of discrimination, intolerance and extremist violence motivated by anti-Semitism, Islamophobia and Christianophobia and prejudices against persons of other religions and beliefs,

Recalling that the seventy-first session of the General Assembly coincides with the seventieth anniversary of the Judgment of the Nuremberg Tribunal,

Mindful of the horrors of the Second World War, and stressing in this regard that the victory over Nazism in the Second World War contributed to establishing the conditions for the creation of the United Nations, designed to prevent future wars and save succeeding generations from the scourge of war,

1. *Reaffirms* the relevant provisions of the Durban Declaration[9] and of the outcome document of the Durban Review Conference,[10] in which States condemned the persistence and resurgence of neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial and national prejudice and stated that those phenomena could never be justified in any instance or in any circumstances;

2. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination,

[9] See A/CONF.189/12 and Corr.1, chap. I.

[10] See A/CONF.211/8, chap. I.

xenophobia and related intolerance, prepared in accordance with the request contained in its resolution 70/139;[11]

3. *Expresses its appreciation* to the United Nations High Commissioner for Human Rights and his Office for their efforts to fight racism, racial discrimination, xenophobia and related intolerance, including the maintenance by the Office of the United Nations High Commissioner for Human Rights of the database on practical means to combat racism, racial discrimination, xenophobia and related intolerance;

4. *Expresses deep concern* about the glorification, in any form, of the Nazi movement, neo-Nazism and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations in the name of the glorification of the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements;

5. *Calls for* the universal ratification and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[3] and encourages those States parties that have not yet done so to consider making the declaration under its article 14, thus providing the Committee on the Elimination of Racial Discrimination with the competence to receive and consider communications from individuals or groups of individuals within their jurisdiction claiming to be victims of a violation by a State party of any of the rights set forth in the Convention;

6. *Emphasizes once more* the recommendation of the Special Rapporteur that "any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited by States",[12] also emphasizes that such manifestations do injustice to the memory of the countless victims of the Second World War and negatively influence children and young people, and stresses in this regard that it is important that States take measures, in accordance with international human rights law, to counteract any celebration of the Nazi SS organization and all its integral parts, including the Waffen SS, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter;

7. *Expresses concern* about recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought against Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in this regard urges States to fully comply with their relevant obligations, inter alia, under article 34 of Additional Protocol I to the Geneva Conventions of 1949;[13]

8. *Notes with concern* the increase in the number of racist incidents worldwide, including the rise of skinhead groups, which have been responsible for many of these incidents, as well as the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national or ethnic, religious and linguistic minorities or on any other grounds, including arson attacks on houses and vandalization of schools and places of worship;

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[11] A/71/325.

[12] Ibid., para. 68.

[13] United Nations, *Treaty Series*, vol. 1125, No. 17512.

9. *Reaffirms* that such acts may be qualified as falling within the scope of the Convention, that they may not be justified when they fall outside the scope of the rights to freedom of peaceful assembly and of association as well as the rights to freedom of expression and that they may fall within the scope of article 20 of the International Covenant on Civil and Political Rights[2] and may be subject to certain restrictions, as set out in articles 19, 21 and 22 of the Covenant;

10. *Encourages* States to take concrete measures, including legislative and educational ones, in order to prevent the denial of the crimes against humanity and war crimes committed during the Second World War;

11. *Condemns without reservation* any denial of or attempt to deny the Holocaust, as well as any manifestation of religious intolerance, incitement, harassment or violence against persons or communities on the basis of ethnic origin or religious belief;

12. *Welcomes* the call of the Special Rapporteur for the active preservation of those Holocaust sites that served as Nazi death camps, concentration and forced labour camps and prisons, as well as his encouragement to States to take measures, including legislative, law enforcement and educational measures, to put an end to all forms of Holocaust denial;[14]

13. *Calls upon* States to continue to take adequate steps, including through national legislation, in accordance with international human rights law, aimed at the prevention of hate speech and incitement to violence against persons in vulnerable situations;

14. *Expresses deep concern* about attempts at commercial advertising aimed at exploiting the sufferings of the victims of war crimes and crimes against humanity committed during the Second World War by the Nazi regime;

15. *Stresses* that the practices described above do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and may negatively influence children and young people, and that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter, including those related to the purposes and principles of the Organization;

16. *Also stresses* that such practices fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance and contribute to the spread and multiplication of various extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and in this regard calls for increased vigilance;

17. *Expresses concern* that the human rights and democratic challenges posed by extremist political parties, movements and groups are universal and no country is immune to them;

18. *Emphasizes* the need to take the measures necessary to put an end to the practices described above, and calls upon States and all other stakeholders to take more effective measures in accordance with international human rights law to prevent and combat those phenomena and extremist movements, which pose a real

[14] A/71/325, para. 80.

threat to democratic values, and to increase their vigilance and strengthen their efforts to recognize and effectively address those challenges;

19. *Underlines* the importance of data and statistics on racist and xenophobic crimes for identifying the types of offences committed, the profiles of victims and of perpetrators and whether they are affiliated with extremist movements or groups, thus enhancing better understanding of the phenomenon and identifying effective measures to address such racist and xenophobic crimes;

20. *Encourages* States to adopt further measures to provide training for the police and other law enforcement bodies on the ideologies of extremist political parties, movements and groups whose advocacy constitutes incitement to racist and xenophobic violence, to strengthen their capacity to address racist and xenophobic crimes, to fulfil their responsibility for bringing to justice the perpetrators of such crimes and to combat impunity;

21. *Expresses deep concern* about the increased number of seats occupied by representatives of extremist parties of a racist or xenophobic character in a number of national and local parliaments, and emphasizes in this regard the need for all democratic political parties to base their programmes and activities on respect for human rights and freedoms, democracy, the rule of law and good governance and to condemn all messages disseminating ideas that are based on racial superiority or hatred and that have the objective of fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

22. *Notes with appreciation*, in this regard, the call of the Special Rapporteur upon political leaders and parties to strongly condemn incitement to racial discrimination or xenophobia, to promote tolerance and respect and to refrain from forming coalitions with extremist parties of a racist or xenophobic character;[15]

23. *Expresses concern* that ethnic profiling and police violence against persons in vulnerable situations discourage victims from seeking redress owing to distrust of the legal system, and in this regard encourages States to improve diversity within law enforcement agencies and to impose appropriate sanctions against those within the public service found guilty of racially motivated violence or of using hate speech;

24. *Expresses deep concern* about the increase in reported cases of racist and xenophobic manifestations during sports events, including those committed by extremist groups, including neo-Nazis and skinhead groups, and calls upon States, sports federations and other relevant stakeholders to strengthen measures to prevent such incidents, while also welcoming the steps that many States, sports federations and clubs have taken to eliminate racism at sporting events, including through sport practised without discrimination of any kind and in the Olympic spirit, which require human understanding, tolerance, fair play and solidarity;

25. *Recalls* the recommendation of the Special Rapporteur to introduce into national criminal law a provision according to which committing an offence with racist or xenophobic motivations or aims constitutes an aggravating circumstance, allowing for enhanced penalties,[16] and encourages those States whose legislation does not contain such provisions to consider that recommendation;

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[15] Ibid., para. 76.

[16] A/69/334, para. 81.

26. *Notes* measures taken by States to prevent discrimination against, in particular, persons belonging to national or ethnic, religious and linguistic minorities, people of African descent, Roma, migrants, refugees and asylum seekers, and to ensure their integration into society, and urges States to ensure the full and effective implementation of legal, policy and institutional measures protecting these individuals and groups, and recommends that States effectively guarantee to these individuals and groups, without discrimination of any kind, their human rights, including the right to safety and security, access to justice, adequate reparation and appropriate information about their rights, as well as the prosecution and adequate sanctioning of those responsible for racist and xenophobic crimes against them;

27. *Underlines* that the roots of extremism are multifaceted and must be addressed through adequate measures such as education, awareness-raising and the promotion of dialogue, and in this regard recommends the increase of measures to raise awareness among young people of the dangers of the ideologies and activities of extremist political parties, movements and groups;

28. *Reaffirms*, in this regard, the particular importance of all forms of education, including human rights education, as a complement to legislative measures, and calls upon States to continue to invest in education, in both conventional and non-conventional curricula, inter alia, in order to transform attitudes and counteract ideas of racial hierarchies and superiority, and counter their negative influence, and to promote the values of non-discrimination, equality and respect for all, as outlined by the Special Rapporteur;

29. *Emphasizes* the recommendation of the Special Rapporteur presented at the sixty-fourth session of the General Assembly, in which he emphasized the importance of history classes in teaching the dramatic events and human suffering which arose out of the adoption of ideologies such as Nazism and Fascism;[17]

30. *Stresses* the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives, which require continued State support;

31. *Underlines* the positive role that relevant United Nations entities and programmes, in particular the United Nations Educational, Scientific and Cultural Organization, can play in the aforementioned areas;

32. *Reaffirms* article 4 of the Convention, according to which States parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights[1] and the rights expressly set forth in article 5 of the Convention, inter alia:

(*a*) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, and incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons

[17] A/64/295, para. 104.

of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(*b*) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(*c*) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination;

33. *Also reaffirms* that, as underlined in paragraph 13 of the outcome document of the Durban Review Conference, any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence should be prohibited by law, that all dissemination of ideas based on racial superiority or hatred, or incitement to racial discrimination, as well as all acts of violence or incitement to such acts, shall be declared offences punishable by law, in accordance with the international obligations of States, and that these prohibitions are consistent with freedom of opinion and expression;

34. *Recognizes* the positive role that the exercise of the right to freedom of opinion and expression, as well as full respect for the freedom to seek, receive and impart information, including through the Internet, can play in combating racism, racial discrimination, xenophobia and related intolerance;

35. *Expresses concern* about the increased use of the Internet to promote and disseminate racism, racial hatred, xenophobia, racial discrimination and related intolerance, and in this regard calls upon States parties to the International Covenant on Civil and Political Rights to counter the dissemination of the above-mentioned ideas while respecting their obligations under articles 19 and 20 of the Covenant, which guarantee the right to freedom of expression and outline the grounds on which the exercise of this right can be legitimately restricted;

36. *Recognizes* the need to promote the use of new information and communications technologies, including the Internet, to contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

37. *Also recognizes* the positive role that the media can play in combating racism, racial discrimination, xenophobia and related intolerance, promoting a culture of tolerance and representing the diversity of a multicultural society;

38. *Encourages* States, civil society and other relevant stakeholders to use all opportunities, including those provided by the Internet and social media, to counter, in accordance with international human rights law, the dissemination of ideas based on racial superiority or hatred and to promote the values of equality, non-discrimination, diversity and democracy;

39. *Encourages* those States that have made reservations to article 4 of the Convention to give serious consideration to withdrawing such reservations as a matter of priority, as stressed by the Special Rapporteur;

40. *Notes* the importance of strengthening cooperation at the regional and international levels with the aim of countering all manifestations of racism, racial discrimination, xenophobia and related intolerance, in particular regarding issues raised in the present resolution;

41. *Stresses* the importance of cooperating closely with civil society and international and regional human rights mechanisms in order to counter effectively

all manifestations of racism, racial discrimination, xenophobia and related intolerance, as well as extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other similar extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

42. *Encourages* States parties to the Convention to ensure that their legislation incorporates the provisions of the Convention, including those of article 4;

43. *Encourages* States to adopt the legislation necessary to combat racism while ensuring that the definition of racial discrimination set out therein complies with article 1 of the Convention;

44. *Recalls* that any legislative or constitutional measures adopted with a view to countering extremist political parties, movements and groups, including neo-Nazis and skinhead groups and similar extremist ideological movements, should be in conformity with the relevant international human rights norms, in particular articles 4 and 5 of the Convention and articles 19 to 22 of the Covenant;

45. *Also recalls* the request of the Commission on Human Rights, in its resolution 2005/5,[5] that the Special Rapporteur continue to reflect on this issue, make relevant recommendations in his future reports and seek and take into account in this regard the views of Governments and non-governmental organizations;

46. *Encourages* States to consider including in their reports for the universal periodic review and their reports to relevant treaty bodies information on the steps taken to combat racism, racial discrimination, xenophobia and related intolerance, including with the aim of implementing the provisions of the present resolution;

47. *Requests* the Special Rapporteur to prepare, for submission to the General Assembly at its seventy-second session and to the Human Rights Council at its thirty-fifth session, reports on the implementation of the present resolution, in particular regarding paragraphs 4, 6, 7, 9, 14, 15, 29 and 30 above, based on the views collected in accordance with the request of the Commission, as recalled in paragraph 45 above;

48. *Expresses its appreciation* to those Governments and non-governmental organizations that have provided information to the Special Rapporteur in the course of the preparation of his reports to the General Assembly;

49. *Stresses* that such information is important for the sharing of experiences and best practices in the fight against extremist political parties, movements and groups, including neo-Nazis and skinhead groups, and other extremist ideological movements that incite racism, racial discrimination, xenophobia and related intolerance;

50. *Encourages* Governments and non-governmental organizations to cooperate fully with the Special Rapporteur in the exercise of the tasks outlined in paragraph 47 above;

51. *Encourages* Governments, non-governmental organizations and relevant actors to disseminate, as widely as possible, information regarding the contents of and the principles outlined in the present resolution, including through the media, but not limited to it;

52. *Decides* to remain seized of the issue.

65th plenary meeting
19 December 2016

General Assembly

Distr.: General
1 February 2017

Seventy-first session
Agenda item 66 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/482)*]

71/180. International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its resolution 69/161 of 18 December 2014,

Recalling also its resolution 68/268 of 9 April 2014 on strengthening and enhancing the effective functioning of the human rights treaty body system,

1. *Takes note* of the report of the Secretary-General[1] on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[2]

2. *Also takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its eighty-fifth and eighty-sixth[3] and its eighty-seventh, eighty-eighth and eighty-ninth[4] sessions;

3. *Recalls* the fiftieth anniversary of the adoption of the Convention, and reiterates its call for the universal ratification and effective implementation of the Convention by all States parties to eliminate all forms of racial discrimination;

4. *Invites* the Chair of the Committee to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly, at its seventy-second and seventy-third sessions, under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance";

5. *Decides* to consider, at its seventy-third session, under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance", the reports of the Committee on its ninetieth and ninety-first, its ninety-second, ninety-third and ninety-fourth and its ninety-fifth sessions;

6. *Requests* the Secretary-General to keep the General Assembly informed of the status of the Convention, including with regard to all reservations and declarations made, through the United Nations websites.

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[1] A/71/327.

[2] United Nations, *Treaty Series*, vol. 660, No. 9464.

[3] *Official Records of the General Assembly, Seventieth Session, Supplement No. 18* (A/70/18).

[4] Ibid., *Seventy-first Session, Supplement No. 18* (A/71/18).

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65th plenary meeting
19 December 2016

General Assembly

Distr.: General
31 January 2017

Seventy-first session
Agenda item 66 (*b*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/482)*]

71/181. A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling all its previous resolutions on the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action adopted by the World Conference,[1] and in this regard underlining the imperative need for their full and effective implementation,

Acknowledging the significance of 2016 as the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action, and calling upon States to honour the memory of victims of the historical injustices of slavery, the slave trade, including the transatlantic slave trade, colonialism and apartheid,

Stressing that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has the same status as the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields, and that the Durban Declaration and Programme of Action remains a solid basis and the only instructive outcome of the World Conference, which prescribes comprehensive measures for combating all the scourges of racism and adequate remedies for victims,

Recalling the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically

[1] See A/CONF.189/12 and Corr.1, chap. I.

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false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Underlining the intensity, magnitude and organized nature of slavery and the slave trade, including the transatlantic slave trade, and the associated historical injustices, as well as the untold suffering caused by colonialism and apartheid, and that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples continue to be victims, and acknowledging that the ongoing effects must be remedied,

Acknowledging the efforts and initiatives undertaken by States to prohibit racial discrimination and racial segregation and to engender the full enjoyment of economic, social and cultural rights, as well as civil and political rights,

Emphasizing that, despite efforts in this regard, millions of human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations, some of which manifest in violent forms,

Welcoming the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action,

Recalling the appointment of the five independent eminent experts by the Secretary-General on 16 June 2003, pursuant to General Assembly resolution 56/266 of 27 March 2002, with the mandate to follow up on the implementation of the provisions of the Durban Declaration and Programme of Action and to make appropriate recommendations thereon, and in this regard taking note with appreciation of the role played, and noting the role still to be played, by those independent eminent experts in mobilizing global political will for concrete action for the total elimination of all the scourges of racism, racial discrimination, xenophobia and related intolerance,

Underlining the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Durban Declaration and Programme of Action,

Recalling its resolution 2142 (XXI) of 26 October 1966, in which it proclaimed 21 March as the International Day for the Elimination of Racial Discrimination,

Recalling also its resolution 62/122 of 17 December 2007, in which it designated 25 March as the annual International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade,

Welcoming, in the above context, the unveiling of the permanent memorial for the victims of slavery and the slave trade, including the transatlantic slave trade, *The Ark of Return*, on 25 March 2015,

Welcoming also the call upon all the former colonial Powers for reparations, consistent with paragraphs 157 and 158 of the Durban Programme of Action, to redress the historical injustices of slavery and the slave trade, including the transatlantic slave trade,

Recalling the suffering of the victims of racism, racial discrimination, xenophobia and related intolerance, and the need to honour their memory,

Recognizing and affirming that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations is a matter of priority for the international community,

I

International Convention on the Elimination of All Forms of Racial Discrimination

1. *Reaffirms* the paramount importance of universal adherence to and the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[2] adopted by the General Assembly in its resolution 2106 A (XX) of 21 December 1965, in addressing the scourges of racism and racial discrimination;

2. *Calls upon* States that have not done so to consider acceding to and/or ratifying the Convention, and States parties to consider making the declaration under article 14 of the Convention, as well as to consider withdrawing reservations to article 4 of the Convention, as a matter of urgency, in view of the fact that the continued maintenance of reservations negates the essence of the instrument and defeats its objects and purposes;

3. *Underlines*, in the above context, that the provisions of the Convention do not respond effectively to contemporary manifestations of racial discrimination, in particular in relation to xenophobia and related intolerance, which is recognized as the rationale behind the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001;

4. *Takes note* of the acknowledgement by the Human Rights Council and its subsidiary structures of the existence of both procedural and substantive gaps in the Convention, which must be filled as a matter of urgency, necessity and priority;

5. *Expresses its concern* at the lack of progress in the elaboration of complementary standards to the Convention to fill existing gaps through the development of new normative standards aimed at combating all forms of contemporary and resurgent scourges of racism, and in this regard calls upon the Chairperson-Rapporteur of the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination to ensure the commencement of the negotiations on the draft additional protocol to the Convention criminalizing acts of a racist and xenophobic nature;

6. *Requests* the Chairperson-Rapporteur of the Ad Hoc Committee on the Elaboration of Complementary Standards to present a progress report to the General Assembly at its seventy-second session;

II

International Decade for People of African Descent

7. *Welcomes* the proclamation of the International Decade for People of African Descent, as contained in its resolution 68/237 of 23 December 2013, and the celebratory launch of the Decade on 10 December 2014;

[2] United Nations, *Treaty Series*, vol. 660, No. 9464.

8. *Recalls* its resolution 69/16 of 18 November 2014 on the programme of activities for the implementation of the International Decade for People of African Descent, in which it recommended the establishment of a forum on people of African descent and giving consideration to the elaboration of a draft United Nations declaration on the promotion and full respect of human rights of people of African descent;

9. *Takes note* of the reports of the Secretary-General on the programme of activities for the implementation of the International Decade for People of African Descent[3] and on a global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;[4]

10. *Also takes note* of the report of the Working Group of Experts on People of African Descent,[5] invites the Human Rights Council, through the Chair of the Working Group, to continue to submit a report on the work of the Working Group to the General Assembly, and in this regard invites the Chair of the Working Group to engage in an interactive dialogue with the Assembly under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance" at its seventy-second session;

III

Office of the United Nations High Commissioner for Human Rights

11. *Welcomes* the positive response by the Office of the United Nations High Commissioner for Human Rights to the requests made by the Human Rights Council, in its resolution 6/22 of 28 September 2007,[6] and by the General Assembly, in its resolution 68/151 of 18 December 2013, to realign the work and the name of the former Anti-Discrimination Unit in the Office of the High Commissioner, and also welcomes its renaming as the Anti-Racial Discrimination Section and the realignment of its operational activities to focus exclusively on racism, racial discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;[1]

12. *Also welcomes* the inclusion of the historic and landmark World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of 2001 among the 20 major achievements of the Office of the High Commissioner since the adoption of the Vienna Declaration and Programme of Action in 1993;[7]

13. *Requests* the Human Rights Council to continue to pay attention to the situation regarding racial equality in the world and in this regard to consider appropriate ways and means of assessing it, identifying possible gaps and overlaps;

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[3] A/71/290.

[4] A/71/399.

[5] A/71/297.

[6] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[7] A/CONF.157/24 (Part I), chap. III.

14. *Requests* the Secretary-General and the Office of the High Commissioner to provide the resources necessary for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Ad Hoc Committee on the Elaboration of Complementary Standards, and in this regard to ensure the participation of experts in each session of those follow-up mechanisms in order to provide advice on the specific issues under discussion and assist the mechanisms in their deliberations and the adoption of action-oriented recommendations in relation to the implementation of the Declaration and Programme of Action;

IV

Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action

15. *Reiterates* its requests to the Secretary-General, pursuant to its resolution 68/151, to revitalize and reactivate the operational activities of the group of independent eminent experts and in this regard to ensure the full functionality of the group by filling the existing vacancies, at the latest by the end of March 2017, in accordance with its resolution 56/266;

16. *Also reiterates* its invitation to the Human Rights Council, pursuant to paragraph 16 of General Assembly resolution 68/151, to ensure the visibility, effective participation and optimal utilization of the vast knowledge and experience of the group of independent eminent experts within its subsidiary structures, charged with the mandate of and responsibility for the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action, and in this regard requests the Council to submit a progress report to the Assembly at its seventy-second session;

V

Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination

17. *Recalls* the establishment by the Secretary-General, in 1973, of the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination as a funding mechanism that has been utilized for the implementation of the activities of the three Decades for Action to Combat Racism and Racial Discrimination declared by the General Assembly, and in this regard appreciates the fact that the Trust Fund has also been utilized for the subsequent programmes and operational activities transcending the three Decades;

18. *Requests* the Secretary-General to reactivate and revitalize the Trust Fund, prior to the thirty-fifth session of the Human Rights Council, for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and beyond;

19. *Also requests* the Secretary-General to include, in his report on the implementation of the present resolution to the General Assembly at its seventy-second session, a section outlining the progress in the implementation of paragraph 18 of its resolution 68/151 regarding the revitalization of the Trust Fund for the purpose of ensuring the successful implementation of the activities of the

International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action;

20. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals, as well as other donors in a position to do so, to contribute generously to the Trust Fund, and to that end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

VI

Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

21. *Takes note* of the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[5] and encourages the Special Rapporteur, within his mandate, to continue to focus on the issues of racism, racial discrimination, xenophobia and related intolerance and incitement to hatred, which impede peaceful coexistence and harmony within societies, and to submit reports in this regard to the Human Rights Council and the General Assembly;

22. *Reiterates* its previous invitation to the Special Rapporteur to consider examining national models of mechanisms that measure racial equality and their added value in the eradication of racial discrimination and to report on such challenges, successes and best practices in his next report;

VII

Follow-up and implementation activities

23. *Invites* the Human Rights Council to consider, at its thirty-fourth session, the question of developing a multi-year programme of activities to provide for the renewed and strengthened outreach activities needed to inform and mobilize the global public in support of the Durban Declaration and Programme of Action and to strengthen awareness of the contribution that they have made in the struggle against racism, racial discrimination, xenophobia and related intolerance;

24. *Welcomes* the commemorative plenary meeting of the General Assembly held on 18 March 2016 to mark the International Day for the Elimination of Racial Discrimination, on the theme "Challenges and achievements of the Durban Declaration and Programme of Action: 15 years after";

25. *Requests* the Secretary-General to submit to the General Assembly at its seventy-second session a report on the implementation of the present resolution;

26. *Deplores* the ongoing and resurgent scourges of racism, racial discrimination, xenophobia and related intolerance in many regions of the world, particularly targeting migrants and refugees, as well as people of African descent, expresses concern that political leaders and parties have supported such an environment, and in this context expresses its support for migrants and refugees in the context of the severe discrimination that they may face;

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[5] A/71/325.

27. *Requests* the President of the General Assembly and the President of the Human Rights Council to continue to convene annual commemorative meetings of the Assembly and the Council during the commemoration of the International Day for the Elimination of Racial Discrimination, with the appropriate focus and themes, and to hold a debate on racial profiling and incitement to hatred, including in the context of migration, with the participation of the Secretary-General and the United Nations High Commissioner for Human Rights, and in this context encourages the participation of eminent personalities active in the struggle against racial discrimination, Member States and civil society organizations in accordance with the rules of procedure of the Assembly and the Council, respectively;

28. *Decides* to remain seized of this priority matter at its seventy-second session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

65th plenary meeting
19 December 2016

General Assembly

Distr.: General
23 January 2017

Seventy-first session
Agenda item 67

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/483)*]

71/182. Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The General Assembly,

Recalling all of its previous resolutions on the subject, including resolution 70/142 of 17 December 2015, and Human Rights Council resolutions 15/12 of 30 September 2010,[1] 15/26 of 1 October 2010,[2] 18/4 of 29 September 2011,[3] 21/8 of 27 September 2012,[4] 24/13 of 26 September 2013,[5] 27/10 of 25 September 2014,[6] 30/6 of 1 October 2015[7] and 33/4 of 29 September 2016,[8] as well as all resolutions adopted by the Commission on Human Rights in this regard,

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the elimination of mercenarism in Africa,[9] as well as by the African Union,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-

[1] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53A* (A/65/53/Add.1), chap. II.

[2] Ibid., chap. I.

[3] Ibid., *Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.

[4] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.

[5] Ibid., *Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[6] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.

[7] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.

[8] Ibid., *Seventy-first Session, Supplement No. 53A* and corrigendum (A/71/53/Add.1 and Corr.1), chap. II.

[9] United Nations, *Treaty Series*, vol. 1490, No. 25573.

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use of force or of the threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right freely to determine their political status and to pursue their economic, social and cultural development and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[10]

Acknowledging with appreciation the work and contributions of the open-ended intergovernmental working group established by the Human Rights Council with the mandate of considering the possibility of elaborating an international regulatory framework, including the option of elaborating a legally binding instrument on the regulation, monitoring and oversight of the activities of private military and security companies,

Alarmed and concerned at the danger that the activities of mercenaries constitute to peace and security in developing countries in various parts of the world, in particular in areas of conflict,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policies and economies of affected countries resulting from international criminal mercenary activities,

Extremely alarmed and concerned about recent mercenary activities in some developing countries in various parts of the world, including in areas of armed conflict, and the threat they pose to the integrity of and respect for the constitutional order of the affected countries,

Convinced that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form that they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of all human rights by peoples,

1. *Takes note with appreciation* of the latest report of the Working Group of the Human Rights Council on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;[11]

2. *Reaffirms* that the use of mercenaries and their recruitment, financing, protection and training are causes for grave concern to all States and that they violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers encourage, inter alia, the demand for mercenaries on the global market;

4. *Urges*, once again, all States to take the steps necessary and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take legislative measures to ensure that their territories and other territories under their control are not used for, and that their nationals do not take part in, the recruitment, assembly, financing, training, protection or transit of mercenaries for the planning of activities designed to impede the right of peoples to self-determination, to destabilize or overthrow the Government of any State or to dismember or impair, totally or in part, the territorial

[10] Resolution 2625 (XXV), annex.

[11] A/71/318.

integrity or political unity of sovereign and independent States conducting themselves in accordance with the right of peoples to self-determination;

5. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries by private companies offering international military consultancy and security services, and to impose a specific ban on such companies intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Encourages* States that import military assistance or consultancy and security services provided by private companies to establish national regulatory mechanisms for registering and licensing those companies in order to ensure that the imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

7. *Emphasizes its utmost concern* about the impact of the activities of private military and security companies on the enjoyment of human rights, in particular when operating in armed conflicts, and notes that private military and security companies and their personnel are rarely held accountable for violations of human rights;

8. *Calls upon* all States that have not yet done so to consider taking the action necessary to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;[12]

9. *Welcomes* the cooperation extended by those countries that received a visit by the Working Group on the use of mercenaries and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

10. *Condemns* recent mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of those countries and the exercise of the right of their peoples to self-determination, and stresses the importance for the Working Group on the use of mercenaries of looking into sources and root causes, as well as the political motivations of mercenaries and for mercenary-related activities;

11. *Calls upon* States to investigate the possibility of mercenary involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with national law and applicable bilateral or international treaties;

12. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

13. *Calls upon* Member States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities in transparent, open and fair trials;

14. *Recalls* the holding of the fourth session of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies, expresses satisfaction at the participation of experts, including the members of the Working Group on the use of mercenaries, as resource persons at the above-mentioned session, and requests the Working Group and other experts to continue

[12] United Nations, *Treaty Series*, vol. 2163, No. 37789.

their participation during the fifth session of the open-ended intergovernmental working group;

15. *Requests* the Working Group on the use of mercenaries to continue the work already done by the Special Rapporteurs on the use of mercenaries of the Commission on Human Rights with respect to the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of a mercenary drafted by the Special Rapporteur in his report to the Commission on Human Rights at its sixtieth session;[1]

16. *Also requests* the Working Group on the use of mercenaries to continue to study and identify sources and causes, emerging issues, manifestations and trends regarding mercenaries or mercenary-related activities and their impact on human rights, particularly on the right of peoples to self-determination;

17. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of the activities of mercenaries on the right of peoples to self-determination and, when requested and where necessary, to render advisory services to States that are affected by those activities;

18. *Recommends* that all Member States, including those confronted with the phenomenon of private military and security companies, as contracting States, States of operations, home States or States whose nationals are employed to work for a private military and security company, contribute to the work of the open-ended intergovernmental working group, taking into account the initial work done by the Working Group on the use of mercenaries;

19. *Urges* all States to cooperate fully with the Working Group on the use of mercenaries in the fulfilment of its mandate;

20. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Working Group on the use of mercenaries with all the assistance and support necessary for the fulfilment of its mandate, both professional and financial, including through the promotion of cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

21. *Requests* the Working Group on the use of mercenaries to consult States and intergovernmental and non-governmental organizations on the implementation of the present resolution and to report, with specific recommendations, to the General Assembly at its seventy-second session its findings on the use of mercenaries to undermine the enjoyment of all human rights and to impede the exercise of the right of peoples to self-determination;

22. *Decides* to consider the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination at its seventy-second session under the item entitled "Right of peoples to self-determination".

65th plenary meeting
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[1] See E/CN.4/2004/15, para. 47.

General Assembly

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1 February 2017

Seventy-first session
Agenda item 67

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/483)*]

71/183. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[1] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been or are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation adopted by the Commission on Human Rights at its sixty-first[2] and previous sessions,

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 70/143 of 17 December 2015,

Reaffirming also its resolution 55/2 of 8 September 2000, containing the United Nations Millennium Declaration, and recalling its resolution 60/1 of 16 September 2005,

[1] Resolution 2200 A (XXI), annex.

[2] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

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containing the 2005 World Summit Outcome, which, inter alia, upheld the right to self-determination of peoples under colonial domination and foreign occupation,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[1]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed in the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and with honour;

5. *Requests* the Human Rights Council to continue to give special attention to violations of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its seventy-second session under the item entitled "Right of peoples to self-determination".

65th plenary meeting
19 December 2016

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[1] A/71/326.

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Agenda item 67

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/483)*]

71/184. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970, entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Recalling also the United Nations Millennium Declaration,[6]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

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[1] Resolution 2200 A (XXI), annex.
[2] Resolution 217 A (III).
[3] Resolution 1514 (XV).
[4] A/CONF.157/24 (Part I), chap. III.
[5] Resolution 50/6.
[6] Resolution 55/2.
[7] See A/ES-10/273 and Corr.1.
[8] Ibid., advisory opinion, para. 88.

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Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides, based on the relevant resolutions of the United Nations, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative[10] and the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[11]

Stressing also the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem, and recalling in this regard its resolution 58/292 of 6 May 2004,

Recalling its resolution 70/141 of 17 December 2015,

Recalling also its resolution 67/19 of 29 November 2012,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

65th plenary meeting
19 December 2016

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[9] Ibid., para. 122.

[10] A/56/1026-S/2002/932, annex II, resolution 14/221.

[11] S/2003/529, annex.

General Assembly

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Seventy-first session
Agenda item 68 (*a*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/484/Add.1)*]

71/185. Human rights treaty body system

The General Assembly,

Recalling the International Covenant on Civil and Political Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[1] the Convention on the Rights of Persons with Disabilities,[2] the International Convention for the Protection of All Persons from Enforced Disappearance,[3] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] the International Convention on the Elimination of All Forms of Racial Discrimination,[7] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[8] and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[9]

Recalling also Economic and Social Council resolution 1985/17 of 28 May 1985,

Recalling further its resolution 68/268 of 9 April 2014 on strengthening and enhancing the effective functioning of the human rights treaty body system,

Recalling its resolutions 69/161 of 18 December 2014 and 70/131, 70/137, 70/144, 70/145, 70/146, 70/147 and 70/160 of 17 December 2015 as they relate to the human rights treaty body system,

Reaffirming that the full and effective implementation of international human rights instruments by States parties is of major importance to the efforts of the United Nations to promote universal respect for and observance of human rights and

[1] See resolution 2200 A (XXI), annex.
[2] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[3] Ibid., vol. 2716, No. 48088.
[4] Ibid., vol. 2220, No. 39481.
[5] Ibid., vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] Ibid., vol. 660, No. 9464.
[8] Ibid., vol. 1465, No. 24841.
[9] Ibid., vol. 2375, No. 24841.

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fundamental freedoms, and that the effective functioning of the human rights treaty body system is indispensable for the full and effective implementation of such instruments,

Recognizing the important, valuable and unique role and contribution of each of the human rights treaty bodies in the promotion and protection of human rights and fundamental freedoms, including through their examination of the progress made by States parties to the respective human rights treaties in fulfilling their relevant obligations and their provision of recommendations to States parties on the implementation of such treaties,

1. *Takes note* of the report of the Secretary-General on the status of the human rights treaty body system;[10]

2. *Welcomes* the annual reports of the human rights treaty bodies submitted to the General Assembly at its seventieth[11] and seventy-first[12] sessions and to the Economic and Social Council at its 2015[13] and 2016[14] sessions;

3. *Invites* the Chairs of the human rights treaty bodies to address and engage in an interactive dialogue with the General Assembly at its seventy-second and seventy-third sessions under the item relevant to the work of the treaty body;

4. *Encourages* all stakeholders to continue their efforts for the full implementation of resolution 68/268;

5. *Expresses appreciation* for the organization of discussions on matters related to the implementation of each human rights treaty at meetings of the States parties thereto, and requests the Secretary-General to continue to support such practices;

6. *Also expresses appreciation* for the opportunity to interact with the Chairs of the treaty bodies during their annual meetings, and requests the Secretary-General to continue to support such opportunities;

7. *Further expresses appreciation* for the advisory services, capacity-building and technical assistance provided by the Secretary-General to support States parties in building their capacity to implement their treaty obligations, and requests the Secretary-General to continue his efforts in this regard;

8. *Reiterates* the request made in paragraph 40 of resolution 68/268 for the Secretary-General to submit to the General Assembly at its seventy-third session a report on the status of the human rights treaty body system.

65th plenary meeting
19 December 2016

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[10] A/71/118.

[11] *Official Records of the General Assembly, Seventieth Session, Supplement No. 18* (A/70/18); ibid., *Supplement No. 38* (A/70/38); ibid., *Supplement No. 40* (A/70/40); ibid., *Supplement No. 44* (A/70/44); ibid., *Supplement No. 48* (A/70/48); ibid., *Supplement No. 55* (A/70/55); and ibid., *Supplement No. 56* (A/70/56); see also A/70/425.

[12] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 18* (A/71/18); ibid., *Supplement No. 38* (A/71/38); ibid., *Supplement No. 40* (A/71/40); ibid., *Supplement No. 44* (A/71/44); ibid., *Supplement No. 48* (A/71/48); and ibid., *Supplement No. 56* (A/71/56); see also A/71/341.

[13] *Official Records of the Economic and Social Council, 2015, Supplement No. 2* (E/2015/22).

[14] Ibid., *2016, Supplement No. 2* (E/2016/22).

General Assembly

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Seventy-first session
Agenda item 68 (*b*)

Resolution adopted by the General Assembly on 19 December 2016

[*on the report of the Third Committee (A/71/484/Add.2)*]

71/186. Human rights and extreme poverty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Convention on the Rights of the Child,[5] the Convention on the Rights of Persons with Disabilities[6] and all other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 62/205 of 19 December 2007, by which it proclaimed the Second United Nations Decade for the Eradication of Poverty (2008–2017), as well as its resolution 69/183 of 18 December 2014 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and that urgent national and international action was therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 660, No. 9464.

[4] Ibid., vol. 1249, No. 20378.

[5] Ibid., vol. 1577, No. 27531.

[6] Ibid., vol. 2515, No. 44910.

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Recalling further Human Rights Council resolutions 2/2 of 27 November 2006,[7] 7/27 of 28 March 2008,[8] 8/11 of 18 June 2008,[9] 12/19 of 2 October 2009,[10] 15/19 of 30 September 2010,[11] 17/13 of 17 June 2011[12] and 26/3 of 26 June 2014[13] on human rights and extreme poverty, and in this regard underlining the imperative need for their full and effective implementation,

Recalling Human Rights Council resolution 21/11 of 27 September 2012,[14] by which the Council adopted the guiding principles on extreme poverty and human rights[15] as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate, and encouraging States to implement the guiding principles,

Reaffirming its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, and its commitment to achieving sustainable development in its three dimensions – economic, social and environmental – in a balanced and integrated manner,

Recalling that the Sustainable Development Goals and targets seek to build on the Millennium Development Goals and complete what they did not achieve, and that they seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls,

Reaffirming its resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions, and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

Concerned that, during the Second United Nations Decade for the Eradication of Poverty (2008–2017), while there has been progress in reducing poverty, especially in some middle-income countries, such progress has been uneven and the number of people living in poverty in some countries continues to increase, with

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[7] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. A.

[8] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.

[9] Ibid., chap. III, sect. A.

[10] Ibid., *Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1), chap. I, sect. A.

[11] Ibid., *Supplement No. 53A* (A/65/53/Add.1), chap. II.

[12] Ibid., *Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. III, sect. A.

[13] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[14] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. II.

[15] A/HRC/21/39.

women, children and older persons constituting the majority of those most affected, especially in the least developed countries and particularly in sub-Saharan Africa,

Reaffirming the Vienna Declaration and Programme of Action,[16] which states the right to development, as established in the Declaration on the Right to Development,[17] as a universal and inalienable right and an integral part of fundamental human rights,

Acknowledging the significant progress made in several parts of the world in combating extreme poverty, however, deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and is particularly severe in developing countries, and that it extends to and manifests itself in, among other things, social exclusion, hunger, vulnerability to trafficking in persons, disease, lack of adequate shelter, illiteracy and hopelessness,

Deeply concerned that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls,

Stressing that special attention should be given to those who are living in extreme poverty and in vulnerable situations, in particular women, children, youth, older persons, persons with disabilities and indigenous peoples,

Concerned by the challenges faced today, including those derived from the ongoing impact of the financial and economic crisis, the global food crisis, volatile food prices and other ongoing concerns over food security, epidemics and large movements of refugees and migrants, as well as the increasing challenges posed by climate change and the loss of biodiversity, and by the resulting increase in the number of people living in extreme poverty, and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization that requires the coordination and continuation of inclusive policies through decisive national action and international cooperation, and also recognizing in this context the role of the private sector, including the corporate sector, in the eradication of extreme poverty,

Recognizing also that social protection systems make a critical contribution to the realization of human rights for all, in particular for those who are in vulnerable or marginalized situations and are trapped in poverty and subject to discrimination,

Recognizing further that persistent and growing inequalities within and among countries are a major challenge to poverty eradication, particularly affecting those who are living in extreme poverty and in vulnerable situations,

Stressing the necessity of better understanding and addressing the multidimensional causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of all human rights and may, in some situations,

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[16] A/CONF.157/24 (Part I), chap. III.

[17] Resolution 41/128, annex.

constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Underlining the priority and urgency given by Heads of State and Government to the eradication of extreme poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and that they contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty, deep inequality and exclusion constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty and exclusion and that it is essential for people living in and affected by poverty and in situations of vulnerability to be empowered to organize themselves and to participate in all aspects of political, economic, social, cultural and civic life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society, community-based social organizations, the private sector, including the corporate sector, the United Nations system and international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Also emphasizes* the need to accord due consideration and priority to poverty eradication within the United Nations development agenda, while stressing the importance of addressing the causes and challenges of poverty through integrated, coordinated and coherent strategies at the national, intergovernmental and inter-agency levels, consistent with the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

5. *Reaffirms* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

6. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

7. *Reaffirms* the commitments contained in the 2030 Agenda for Sustainable Development,[18] in particular the commitments to leave no one behind, to reach the

[18] Resolution 70/1.

furthest behind and the most vulnerable and to achieve Sustainable Development Goal 1, including by sparing no effort to fight against and eradicate extreme poverty, which is currently measured as people living on less than 1.25 United States dollars a day, for all people everywhere by 2030;

8. *Also reaffirms* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;[19]

9. *Further reaffirms* that the objective of the Second United Nations Decade for the Eradication of Poverty (2008–2017) is to support, in an efficient and coordinated manner, the follow-up to the implementation of the internationally agreed development goals relating to the eradication of poverty, and to coordinate international support to that end;

10. *Recalls* that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and achieving further development gains and that social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains made towards the achievement of the Sustainable Development Goals, and in this regard takes note of the Social Protection Floors Recommendation, 2012 (No. 202), of the International Labour Organization;

11. *Encourages* States, when designing, implementing, monitoring and evaluating social protection programmes, to ensure gender mainstreaming and the promotion and protection of all human rights in accordance with their obligations under international human rights law, throughout this process;

12. *Also encourages* States to take all necessary measures to eliminate discrimination against all persons, in particular those living in poverty, to refrain from adopting any laws, regulations or practices denying or limiting the enjoyment of all human rights and fundamental freedoms, including economic, social and cultural rights, and to ensure that people, in particular those living in poverty, have equal access to justice;

13. *Welcomes* the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation, recognizing their contributions to the efforts of developing countries to collaborate in the eradication of poverty, and stresses that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation;

14. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those derived from the ongoing impact of the financial and economic crisis, the global food crisis, volatile food prices and other ongoing concerns over food security, epidemics and the increasing challenges posed by climate change and the loss of biodiversity in all parts of the world, especially in developing countries, by enhancing cooperation to help to build national capacities;

15. *Reaffirms* the critical role of quality education and lifelong learning for all in achieving poverty eradication and other development goals, as envisaged in

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[19] See resolution 60/1.

the 2030 Agenda, in particular free, equitable and quality primary and secondary education and training for eradicating illiteracy, efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, also reaffirms in this context the Dakar Framework for Action, adopted at the World Education Forum on 28 April 2000,[20] and the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all, adopted at the World Education Forum 2015, and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as tools for achieving Sustainable Development Goal 4 by 2030;

16. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites his Office to pursue further work in this area;

17. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations, to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector, including the corporate sector, and international financial institutions to proceed likewise;

18. *Takes note with appreciation* of the guiding principles on extreme poverty and human rights,[15] adopted by the Human Rights Council in its resolution 21/11,[14] as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate;

19. *Encourages* Governments, relevant United Nations bodies, funds and programmes and the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations and non-State actors, and the private sector, including the corporate sector, to consider the guiding principles in the formulation and implementation of their policies and measures concerning persons affected by extreme poverty;

20. *Requests* the Office of the United Nations High Commissioner for Human Rights to disseminate the guiding principles, as appropriate;

21. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the 2030 Agenda and the Sustainable Development Goals set out therein into their work;

22. *Takes note* of the work undertaken by the Special Rapporteur of the Human Rights Council on extreme poverty and human rights, including his report submitted to the General Assembly at its seventieth session[21] and his report

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[20] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

[21] A/70/274.

submitted to the Assembly at its seventy-first session,[22] and also notes the work of the Secretary-General to address the issues referred to therein;

23. *Decides* to consider the question further at its seventy-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

65th plenary meeting
19 December 2016

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[22] A/71/367.